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Wednesday, 19 February 2014, 10 a.m.
New York

President:	Mr. Linkevičius/Ms. Murmokaitė/Mr. Baublys	(Lithuania)
Members:	Argentina	Mrs. Perceval
	Australia	Mr. Quinlan
	Chad	Mr. Cherif
	Chile	Mr. Moreno Charme
	China	Mr. Wang Min
	France	Mr. Araud
	Jordan	Prince Zeid Ra'ad Zeid Al-Hussein
	Luxembourg	Ms. Lucas
	Nigeria	Mr. Sarki
	Republic of Korea	Mr. Oh Joon
	Russian Federation	Mr. Zagaynov
	Rwanda	Mr. Nduhungirehe
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Mrs. DiCarlo

Agenda

The promotion and strengthening of the rule of law in the maintenance of international peace and security

Report of the Secretary-General on measuring the effectiveness of the support provided by the United Nations system for the promotion of the rule of law in conflict and post-conflict situations (S/2013/341)

Letter dated 3 February 2014 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General (S/2014/75)

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

The promotion and strengthening of the rule of law in the maintenance of international peace and security

Report of the Secretary-General on measuring the effectiveness of the support provided by the United Nations system for the promotion of the rule of law in conflict and post-conflict situations (S/2013/341)

Letter dated 3 February 2014 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General (S/2014/75)

The President: Under rule 37 of the Council's provisional rules of procedure, I invite the representatives of Albania, Armenia, Azerbaijan, Bangladesh, Belgium, Botswana, Brazil, Colombia, Costa Rica, Croatia, Cuba, the Democratic Republic of the Congo, Ecuador, Estonia, Georgia, Germany, Guatemala, Indonesia, the Islamic Republic of Iran, Israel, Japan, Kazakhstan, Latvia, Liechtenstein, Malaysia, Mexico, Namibia, the Netherlands, New Zealand, Pakistan, Peru, the Philippines, Poland, Qatar, the Republic of Moldova, Saudi Arabia, Senegal, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, the Syrian Arab Republic, Tunisia, Turkey, Uganda, Uruguay and Zimbabwe to participate in this meeting.

Under rule 39 of the Council's provisional rules of procedures, I invite His Excellency Thomas Mayr-Harting, Head of the Delegation of the European Union to the United Nations, to participate in this meeting.

I propose that the Council invite the Permanent Observer of the Observer State of Palestine to the United Nations to participate in the meeting, in accordance with the provisional rules of procedure and previous practice in this regard.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of the members of the Council to document S/2013/341, which contains the report of the Secretary-General on measuring the effectiveness of the support provided by the United Nations system for the promotion of the rule of law in conflict and post-conflict situations.

I also wish to draw the attention of the members of the Council to document S/2014/75, which contains a letter dated 3 February 2014 from the Permanent Representative of Lithuania to the United Nations addressed to the Secretary-General, transmitting a concept note on the item under consideration.

I wish warmly to welcome His Excellency Secretary-General Ban Ki-moon, to whom I now give the floor.

The Secretary-General: I thank the Government of Lithuania for organizing this important debate.

The rule of law is at the heart of our work at the United Nations. It is intrinsically linked to peace and security. When public institutions fail to deliver justice or to protect peoples' rights, insecurity and conflict prevail.

At the national level, reconciliation and enduring peace require the strong rule of law through responsive and inclusive institutions. People must be able to trust that their institutions can resolve disputes promptly and fairly, and provide equitable access to basic services, including justice and security.

At the international level, adherence to the rule of law is critical for conflict prevention and the peaceful resolution of disputes. Mechanisms to combat impunity and ensure accountability, including United Nations-assisted criminal tribunals, reinforce the primacy of law. That is why strengthening the rule of law is now an integral part of the mandates of peacekeeping operations and special political missions. Today, 18 missions around the world currently mandate rule-of-law support.

We are providing national authorities with wide-ranging support, from constitution-making to strengthening police, justice and corrections institutions, and from anti-corruption efforts to those ensuring justice and accountability for gender-based crimes.

I have designated the Department of Peacekeeping Operations and the United Nations Development Programme — working with the Office of the United Nations High Commissioner for Human Rights, the United Nations Office on Drugs and Crime, UN-Women and other partners — as the global focal point for police, justice and corrections. That new global focal point arrangement has already assisted our efforts from Mali to the Democratic Republic of the Congo to Haiti and beyond, strengthening our ability to deliver as one effectively and coherently. I encourage members of the Council and other Member States and regional organizations to support the global focal point and work with the United Nations to ensure the long-term development of national rule-of-law institutions.

The crafting of peacekeeping and peacebuilding mandates provides a strategic opportunity to support national priorities in this area. Along with police and military elements, mandates for new missions should include justice and corrections. That will help extend State authority and lay the foundation for longer-term institution-building. Those mandates should be guided by several important points. Let me briefly highlight four.

First, mandates should reflect the specific challenges of a country and identify priority areas of support. That will enhance the effectiveness and gender responsiveness of our rule-of-law work. It also helps guide programming and serves as a basis for dialogue with national authorities.

Secondly, sequencing or establishing phases for the implementation of the different components of assistance is vital. Promptly addressing people's immediate security and protection needs is crucial to laying the groundwork for the long-term success of institutions and processes.

Thirdly, given limited human and financial resources, a gradual or progressive implementation strategy may be the most effective in transitioning from peacekeeping to long-term development assistance. That requires early collaboration between missions and country teams.

Fourthly, assessing progress is essential to making policy decisions supported by evidence and responsive to particular needs. The Security Council has made important inroads towards promoting monitoring and evaluation of United Nations rule-of-law assistance. Specific and sequenced mandates, which include data-collection and evaluation capacities, would further support those efforts. As I noted in my report to the Council of 11 June 2013 (S/2013/341), the Organization must nurture and strengthen a culture of evaluation.

I am encouraged by the Council's continued commitment to ensuring that we make the most and the best of rule-of-law assistance in peacekeeping and peacebuilding missions. I greatly appreciate the Council's discussion today.

The President: I thank the Secretary-General for his statement.

I shall now make a statement in my capacity as the Minister for Foreign Affairs of Lithuania.

Let me start by thanking Secretary-General for his report (S/2013/341) on measuring the effectiveness of the United Nations rule-of-law activities and for his insightful briefing today. We appreciate the Secretary-General's personal leadership and commitment to mainstreaming the rule of law in United Nations activities.

Dwight Eisenhower once said,

> "The clearest way to show what the rule of law means to us in everyday life is to recall what has happened when there is no rule of law."

The events in the Central African Republic and Syria offer a shocking example of what happens when there is no rule of law. In the Central African Republic, a total collapse of law and order has led to unspeakable atrocities and fears of ethnic cleansing and genocide. In Syria, siege and starvation are being used as a weapon of war. The civilian population is subjected to aerial bombings, Scud missiles and mortar attacks. In gross violation of international law, humanitarian access continues to be denied, and humanitarian workers are targeted. The savagery of Al-Shabaab in Somalia, the barbaric brutality of radical extremists in the north of Mali, the hundreds of thousands of displaced people in South Sudan — those and other situations highlight the critical importance of restoring the rule of law and institution-building for protecting civilian populations and tackling the root causes of conflicts.

At present, nearly 20 United Nations missions have a rule-of-law mandate. As technical as those mandates may be, the rule of law is a lot more than the mere sum of specific activities carried out by peacekeepers and special political missions on the ground. It is the underlying framework of rules and rights that make safe, secure and fair societies possible. It informs good governance, ensures accountaility and enables the discharge of justice for all without discrimination. In countries emerging out of conflict, the rule of law provides a framework to address the legitimate grievances and concerns of affected populations and allows the taking of action against perpetrators in a peaceful manner.

The Council's focus on holistic rule-of-law assistance in conflict-affected countries is therefore critical to conflict prevention as well as to breaking the cycle of relapse into violence. Rule-of-law activities as mandated by the Council range from constitution-making, ensuring inclusive political processes and building police, corrections and law-enforcement services, to designing transitional justice mechanisms and tackling sexual violence in conflict. In all cases the principle of national ownership is key, as it alone can guarantee that the rule of law will continue to prevail long after the departure of peacekeepers.

Countries emerging out of conflict usually face a legacy of widespread and systematic human rights abuses and grievances that, if unaddressed, may reignite the cycle of violence. A well-functioning and credible police force is a key element in building security and lasting peace in a post-conflict setting. Often, however, law-enforcement services have to incorporate elements that participated in the conflict. That can easily undercut a population's trust in justice, especially if they see their former abusers in uniform.

Therefore, the stringent vetting of personnel, the establishment of internal accountability mechanisms and training on human rights and gender awareness are essential and have been supported by United Nations peacekeeping and special political missions within the framework of rule-of-law mandates.

Accountability for crimes against humanity, genocide and war crimes is key to progress on the path of reconciliation and peace. It is the primary responsibility of national justice systems to investigate and prosecute such crimes.

United Nations missions play an important role in supporting the efforts of national authorities, through assistance in the establishment of truth and reconciliation commissions as well as transitional justice mechanisms, the development of investigative capacities, and the reform of legal and judicial institutions.

However, where national judicial systems fail to tackle impunity for the most serious crimes of international concern, the Security Council should be ready to use the full range of tools at its disposal, including targeted sanctions and referrals to the International Criminal Court (ICC). As a founding member of the ICC, Lithuania would welcome the development of a more consistent framework for referrals to the Court.

Discrimination, oppression, exclusion, lingering grievances, unresolved disputes, abuses of power and a deficit of democratic governance — all of this, if unaddressed, will, sooner or later, erupt into violence and conflict. We see this all over the world, and sadly close to home, in the middle of Europe today. Ukraine is burning with protests. Clashes between the Government and protesters have led to injuries and deaths. We must use all means at our disposal to stop the bloodshed immediately and to hold the perpetrators to account. Restoring the rule of law is essential to beginning a genuine dialogue on constitutional reform, an inclusive Government and preventing further violence.

I now resume my functions as President of the Council.

I shall now give the floor to members of the Council.

Mr. Moreno Charme (Chile) (*spoke in Spanish*): I should like at the outset to thank Lithuania for having taken the initiative of convening this open debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security.

The rule of law is the basic guarantee of very society, protecting the right of each citizen to exercise his or her rights responsibly. In addition, it is a limit to arbitrariness, both in relations between the State and individuals as well as in relations among States.

Multilateral action in this area in linked to the duty to cooperate. That is why Chile has contributed to all United Nations efforts to achieve universal acceptance of the rule of law, which is a topic of legitimate interest to the international community. That was the meaning of the commitments of the Heads of State and Government made in 2005 and the 2012 Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1).

Chile is convinced that the rule of law should be at the centre of the post-2015 development agenda.

The rule of law, human rights and democracy are fundamental United Nations values that are mutually reinforcing and form an indivisible whole. Internationally, the rule of law is founded on the

Charter of the United Nations, as demonstrated by the fact that by virtue of its Article 103, the Charter takes precedence over other agreements of Member States.

The linkage between the rule of law and the maintenance of international peace and security is today indisputable. That is evident from the increasingly important role of the rule of law in the multidimensional mandates of peacekeeping missions and operations, designed to facilitate the creation or reconstruction of the public institutions of a State emerging from conflict, particularly in the areas of justice, policing and the prison system and, of course, support for constitutional and legislative reforms.

This issue arises regularly in the Security Council, be it in the framing of mandates, at the stage of practical implementation or at the stage of lessons learned. However, the ultimate goal is usually the same: to help to create the conditions for sustainable peace in order to prevent the country from reverting to a state of conflict.

Here the United Nations plays a role of facilitation and accompaniment rather than that of a stand-in for the parties. In addition, mandates with rule-of-law elements must adopt a comprehensive and systematic approach. In that connection, I should like to share some brief thoughts with the Council.

First, mandates must respect the principle of national ownership. In other words, States and their societies must lead their own peacebuilding processes, with the assistance of the international community and of the United Nations. Accordingly, mandates must respond to local needs. It is the local situation that must determine the content of the mandate, rather than vice versa. There is no one size fits all in this connection. Mandates must be clear and precise not only with respect to the goals sought but also to means of attaining them and obtaining the resources to do so.

One particularly important aspect is the strengthening of the judicial system, especially in societies that are going to apply transitional justice in the post-conflict period. Chile also emphasizes here the importance of reparations for the victims of violence and violations and abuses of human rights. Reparations promote the healing process and the reconciliation of society.

Mandates must also facilitate accountability, either before national courts or before the International Criminal Court, in accordance with the principle of complementarity, The Security Council must actively follow up the cases examined and refer to the International Criminal Court cases of genocide, war crimes and crimes against humanity. Chile believes that this is an effective way of helping to end impunity for such atrocities.

Similarly, where appropriate, programmes should include the concept of the responsibility to protect in its preventive aspect, in other words, in its first and second pillars. Mandates on the rule of law must address the gender issues that arise and ensure adequate legal protection for children in armed conflict. It is also important to consider greater involvement on the part of regional organizations in this exercise, in accordance with Chapter VIII of the Charter. The physical proximity of such organizations to the countries in question and the community of cultural, historical and political ties give these bodies considerable legitimacy as an instrument. The goal is thus to incorporate the regional dimension of the rule of law and to make the most of obvious comparative advantages.

The United Nations system as a whole should involve itself in those processes in a coordinated and coherent manner, avoiding potential duplications. We welcome the progress made here regarding coordination.

Lastly, we would simply like to add that we appreciate the efforts made by the Secretary-General to mainstream the rule-of-law perspective in the work of the United Nations, and we encourage the Organization to continue working to establish indicators and to measure the progress made as regards the rule of law. Probably the greatest practical challenge facing us today is the need to develop the ability to evaluate the rule of law as incorporated in mandates.

Mr. Quinlan (Australia): I wish to thank you, Sir, for having convened this debate and for presiding over it personally today. We also thank the Secretary-General for updating us on the recent steps taken to improve the Secretariat's capacity to deliver the Council's rule-of-law mandates.

Strengthening the rule of law, as the Secretary-General has reminded us this morning, is a critical pillar, as we know, of both conflict prevention and effective post-conflict peacebuilding that makes this, as he has said, core business for the Council and for Council-mandated peace operations. Successful rule-of-law interventions can significantly reduce the likelihood of conflict occurring or recurring. It is therefore essential that the Council provide United Nations peacekeeping and special political missions with sufficient authority, clarity and direction to carry out well-targeted and achievable rule-of-law mandates. Their implementation needs to be appropriately prioritized within a mission. While the first priority must be the immediate stabilization of a given security situation, planning for the implementation of rule-of-law tasks needs to start immediately.

We welcome the Secretary-General's advice about the institutional changes within the United Nations to address rule- of-law issues. The conferral of strengthened responsibility on the senior United Nations official in country, who will now be responsible and accountable for guiding the rule-of-law strategy and supporting its implementation, is an important advance. We also welcome the designation of the Department of Peacekeeping Operations and the United Nations Development Programme as the joint global focal point for the rule of law, which we trust will result in improved coordination and coherence of the United Nations rule-of-law efforts.

For all aspects of peacekeeping mandates and special political missions, including the rule of law, it is essential, as we know, to learn from both success and failure. In developing and reviewing rule-of-law mandates, the Council needs to be informed by a clear understanding of what works and what does not work. While we welcome the Secretary-General's recent report on measuring the effectiveness of the support provided by the United Nations system in conflict and post-conflict situations in respect of the rule of law (S/2013/341), it is clear from the report's recommendations that there is still some way to go. Qualitative assessments of the impact of the United Nations interventions are required. It is not a simple question of the number of police officers trained or workshops held. We support the United Nations use of the rule-of-law indicators in that regard.

At the national level, the rule of law is at the heart of the social contract between the State and its citizens. Ensuring that justice permeates society at every level and that Governments are accountable, it underpins stability and effective State protection and ensures human rights are protected.

Supporting the development of police, corrections, prosecutorial and judicial capacities that enable the investigation and prosecution of crimes — and here I am referring to national law and translating that into international practice and prosecuted — is a core mandate for many United Nations missions. A recent positive development was the authorization of the United Nations Multidimensional Integrated Stabilization Mission in Mali to use all the necessary means to support the efforts of the transitional authorities in Mali to bring to justice those responsible for serious international crimes, taking into account the jurisdiction of the International Criminal Court (ICC). The Council similarly encouraged the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo to use its existing authority to assist the Government of the Democratic Republic of the Congo to hold accountable those responsible war crimes and crimes against humanity in the country, including through its ongoing cooperation with the ICC.

The Council should consider whether similar mandates should be given to other peacekeeping operations. Such an approach could be part of the broader support from the Council to the International Criminal Court. The Court is an essential partner for the Council on rule-of-law matters, and the Council needs to do more to support its work.

Finally, I shall make some comment on policing. The police components of United Nations peacekeeping operations need closer attention. United Nations police strengthen the rule of law in conflict and post-conflict situations, both where they provide interim policing and through assistance to reform and rebuild national police and other law enforcement agencies. Given the breadth and complexity of policing roles, there is further scope for the Council to provide greater strategic direction in mandates to effectively guide police components and mission management. At an operational level, predeployment training on cultural issues enables deployed police to better relate to their host-nation counterparts. The United Nations Police Division is doing important work on mission-specific induction training. The recent pilot effort in the United Nations Mission in Liberia sets a strong example.

I should say, as I approach the end of my statement, that we hope that we will be able to successfully finalize our negotiations to adopt a presidential text on the rule of law. We have done so before, and we must do so again.

Successfully strengthening the rule of law within a country requires long-term engagement. It is important, therefore, that from the very outset of planning the rule-of-law component of a United Nations mission, there also needs to be consideration of the transition of rule-of-law functions from the United Nations peace operation to the national authorities. Robust institutions must stand on their own foundations — that will be the true measure of our success.

Mr. Araud (France) (*spoke in French*): Thank you, Sir, for convening this debate.

France aligns itself with the statement to be delivered on behalf of the European Union.

I would like to focus on three aspects.

The first is the exemplary nature of peacekeeping operations and more broadly of the Organization in the field of the rule of law. For United Nations action to be legitimate and effective, it must be based on the principles of transparency, respect for rights and accountability. In that regard, France welcomes the Secretary-General's policies in those areas, including the zero-tolerance policy for sexual abuse, the due diligence policy on human rights, the screening policy and the guidelines on limiting contacts with persons subject to arrest warrants from the International Criminal Court.

All staff of the Organization at all levels must be aware of those rules. The United Nations cannot provide support in the field of security to entities that do not respect human rights or that recruit children. The United Nations cannot deal with criminals as part of its normal activities. The Office of Legal Affairs is the guarantor of the proper application of those guidelines, and we welcome once again the rigour of the services of the Legal Adviser. We must be beyond reproach.

Secondly, I turn to the appropriateness of the mandates of peacekeeping operations and special political missions to the needs on the ground with regard to the rule of law. Faced with conflict situations, when the States concerned are weak or have even failed, the Council has, over the years, identified several key areas for action: support for the criminal justice process, an independent judiciary, the prison system, comprehensive security-sector reform, institutional strengthening and support for international criminal justice.

The Council has therefore specified in mandates for several peacekeeping operations the contribution that Blue Helmets can make to the fight against impunity for the perpetrators of genocide, crimes against humanity and war crimes. We have given them mandates to assist national authorities to cooperate with the International Criminal Court. The role of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and the United Nations Multidimensional Integrated Stabilization Mission in Mali in supporting national authorities should be highlighted in that respect.

If people still doubt that all the tasks I have listed must be an integral part of the maintenance of international peace and security, they need only look at the Central African Republic. In that country, to date — thanks to the work of the African forces with the support of France — large-scale massacres have been avoided. However, we are facing a general situation of insecurity as a result of the collapse of the Central African State. It is therefore essential, in parallel with action on security, to act now to get the institutions back on track and restore State authority. To do that, it is crucial to ensure that officials are paid as soon as possible, which will get the police, gendarmerie, courts and detention centres back up and running. We must also continue working towards the objective of holding elections no later than February 2015.

The United Nations has an indispensable role to play in those priority areas, at present through the United Nations Integrated Peacebuilding Office in the Central African Republic and, as soon as possible, through a peacekeeping operation. To get the State of the Central African Republic functioning again and assist it in establishing the rule of law, those projects need resources. Members of the international community must strengthen their mobilization.

My third point is adapting to cross-cutting threats. In recent years, the Security Council has shown its ability to adapt to new challenges. The support provided to addressing judicial and prison aspects of the fight against piracy off the coast of Somalia is an example. Today, we must mobilize to build the capacity of the States of the Sahel to fight drug-trafficking. France again welcomes the United Nations integrated strategy for the Sahel, which allows all actors of the system to be brought together to work against the development of a criminality that threatens the stability of the States of the region. Significant efforts are also being made to enable States to regain control over the trade of natural resources for the benefit of their citizens. The grip on such resources by armed groups fuels conflicts and deprives States of income. Once again, the maintenance of peace and nation-building are part of the same reasoning.

In that context, it is regrettable that the Council has not yet mentioned in a statement or a resolution the most expensive trafficking for the African continent after drug trafficking, namely, wildlife trafficking. It involves not only protecting threatened species, such as elephants or rhinoceroses, but also dealing with the issue from the aspect of organized crime. France carefully follows the initiatives launched on that topic at the United Nations, in particular by Gabon and Germany, and we welcome the conference very recently hosted by the United Kingdom. The Council should address the issue.

Promoting the rule of law is part of the Organization's DNA. In 2012, the General Assembly devoted a high-level declaration to it, enshrined in resolution 67/1. The Department of Peacekeeping Operations, the United Nations Development Programme and the United Nations Office on Drugs and Crime and our peacekeeping operations, missions and teams on the ground devote a large part of their work and resources to it.

We can certainly further improve the alignment of such mandates with needs. In that regard, I am thinking of South Sudan. We can certainly work more on mobilizing civilian capacities and devote more efforts to planning transitions between peacekeeping operations and country teams. However, promoting the rule of law is fundamental to our mandate. France will continue to support that goal within the Council. Today, the urgent need is in the Central African Republic.

Prince Zeid Ra'ad Zeid Al-Hussein (Jordan): We thank you, Mr. President, for convening this debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security and for the concept note setting out the terms of the discussion (S/2014/75, annex). We thank the Secretary-General for his briefing and for his report, entitled "Measuring the effectiveness of the support provided by the United Nations system for the promotion of the rule of law in conflict and post-conflict situations" (S/2013/341). We also support the issuance of a presidential statement by the Council on this item, as well as the inclusion of a reference in it to the International Criminal Court, believing that for us not to do so, especially under this item, will only be farcical.

Before my delegation offers some observations on the Secretary-General's report, I wish to conduct a short retrospective on this item in general terms.

I start by returning to the inaugural debate that we had on this item in the Security Council on 24 and 30 September 2003 (see S/PV.4833 and S/PV.4835), three years after the submission of the report of the Panel on United Nations Peace Operations (S/2000/809), chaired by Lakhdar Brahimi, in August 2000, and 11 years after the United Nations Transitional Authority in Cambodia had relaunched the United Nations into more complex peacekeeping operations. Those 11 years were characterized by much trial and error, for that decade provided the United Nations with recurring and painful examples of what happens when the rule of law is not positioned high enough on the ladder of immediate priorities. Each transitional administration established in that period came to realize, perhaps what remains the harshest and saddest lesson of war, that in war there is a clear winner. It is, as it always has been, of course, the war profiteer, namely, often transnational criminal networks wielding immense power inside and beyond post-conflict theatres once the cessation of hostilities has taken effect.

Brahimi's chief proposal in 2000, which triggered our first rule-of-law discussion at the United Nations (see S/PV.4220), centred on the need for an interim or model criminal code in a transitional administration — an idea that was not accepted at the time in the General Assembly not because there was insufficient appreciation by members over the need for it, but because there was no agreement about whether the Security Council or the General Assembly should be the guide on such issues. Instead, the Secretariat, acting on the General Assembly's instruction, began the slow march towards building some capacity within it by creating the Criminal Law and Judiciary Advisory Unit, staffed by two people, within the Department of Peacekeeping Operations (DPKO).

At that point, we had the first debate in the Chamber, at the initiative of the United Kingdom. At the time, I noted in our statement on 30 September 2003 (see S/PV.4835) that, ultimately, not only should the Criminal Law and Judiciary Advisory Unit be expanded but that, eventually, it should itself be a part of a justice and rule of law division.

Where are we today? Reading the Secretary-General's report, it is clear that the rule of law, no matter how exquisite the language of our presidential statements or whatever we say in our declarations, is still being underserved by us, the Member States. Because we have long departed from the controlled discussion over the rule of law that we once had and, instead, have chosen to expand it over 13 years to the extent that it now covers every aspect of the legal universe, the United Nations is left with no real clarity or any strategic direction over it, let alone any thorough ability to create baseline data and precise measurements of the overall effectiveness. That is all evident from the report itself.

It is true that we can celebrate joint visits by the global focal point arrangement to five mission areas and note that 336 Judicial Affairs Officers are deployed by the Office of the Assistant Secretary-General for Rule of Law and Security Institutions in 18 field operations, acknowledging that many of them are outstanding professionals. However, those Judicial Affairs Officers are, in aggregate, still only less than 1 per cent — actually far less than 1 per cent, 0.28 per cent to be precise — of the total number of field personnel deployed in the field operations led by DPKO and the Department of Political Affairs. Because of us Member States, their work is often haphazard and is not linear or sequenced. And it falls well within the shadow of their host country's needs, which are, by contrast, vast and almost beyond comprehension.

What we must therefore do, if we are indeed serious about the rule of law, is to return to basics. We need to once again ask ourselves: what are the top two preconditions for the recovery of a war-torn society given its realities? And what does the United Nations need to do to realize those preconditions effectively?

We would submit, in answer to that, that when it comes to post-conflict environments, the two most fundamental preconditions for any international endeavour to succeed in rehabilitating a largely destroyed country or region are, first, the provision of security, which we must undertake, and, secondly, together with humanitarian support, the administration of justice. All other development activity can wait for subsequent stages, or best be left to others.

What we need immediately, therefore, in a post-conflict environment are effective and fair criminal and financial courts, which, given the often devastated infrastructure of the host State, leaves us with no realistic option, if we are to admit it openly, but for the international community to manage the courts themselves, with the United Nations itself imposing, at the request of the host country, an adapted model criminal code until the country in question can regain its footing and itself take over the running and management of such courts. The United Nations would therefore need substantial capabilities and much greater support than it has now.

Yet, almost 11 years after our first debate here, notwithstanding the tremendous efforts of the Secretary-General and the Deputy Secretary-General to promote the rule of law — and we applaud them for that — we still have no rule-of-law department or a structure of a size that reflects the crucial importance of this subject matter.

The global focal point, while a welcome attempt to fuse the United Nations Development Programme with DPKO, remains very small and not what we had in mind many years ago. Incidentally, we are puzzled as to why the Peacebuilding Support Office was never included in that, at least insofar as the countries on its agenda are concerned.

The Rule of Law Coordination and Resource Group, notwithstanding the outstanding leadership provided by the Deputy Secretary-General in that regard, cannot, in our opinion, be the best way to deal with the issue. The very idea of first scattering the rule-of-law functions among all the various funds, agencies and programmes, which the United Nations consented to many years ago, only for it to now feel crushed by the need to coordinate all of that at the top, is unfortunate.

In essence, the United Nations created a problem for itself so impossibly complicated that it had no prayer of ever solving it. Better for us, therefore, to admit now that the scattered approach, however brilliantly it may be coordinated now, is a doomed proposition in the long term.

I therefore conclude by repeating what Council members said at the first debate here in 2003, namely, that there has to be one address for the rule of law in the form of a stand-alone department, of a size commensurate with its overriding importance, where all of the expertise and knowledge on the issue can be housed under one United Nations roof, where we will find not only experts in the promulgation of draft constitutions and model criminal codes but also former practitioners steeped in every aspect of the major legal traditions, including common law, civil law and mixed systems of law, as well as sharia law; experts in criminal procedure and in the conduct of trials; experts and investigators who have worked in financial courts; experts in court management systems, in particular in their design; experts in legal aid; and experts in judicial and prosecutorial reform — and all of that in addition to all of the relevant expertise required in policing and prison administration.

Only then will the United Nations have a capability that can meet both the demands of the Council in respect of the rule of law and the expectations of the host and requesting countries, which so desperately need it.

Mrs. Perceval (Argentina) (*spoke in Spanish*): My delegation would like to thank the Lithuanian presidency of the Security Council for convening this important open debate. It is our pleasure to see you again, Minister Linkevičius, presiding over a meeting of the Council, and we look forward to the participation of the Minister for Foreign Affairs of the sisterly Republic of Chile. We also thank the Secretary-General for introducing his report (S/2013/341). Allow me to respectfully note the presence of Deputy Secretary-General Eliasson. Rights are, first and foremost, key to achieving the goals underscoring this debate.

The Security Council has recognized the importance of the rule of law in ensuring legitimate institutions and in matters of international peace and security, as has the Organization as a whole, particularly the General Assembly in its adoption of the High-level Declaration of 24 September 2012 (General Assembly resolution 67/1). Yet no clear answers have come to light, only profound questions.

How can the Council and the Organization ensure the rule of law in conflict or post-conflict societies or in communities experiencing poverty and instability as the result of massacres and violence that have wounded, humiliated and killed people? How can we promote and strengthen the rule of law at a time of unequal sovereignty, as seen today? At a time of increasing interdependence, enormous transfers of power from State to non-State entities have led to lawless and weakened State institutions, affecting the basic principles of peace, security and fundamental rights.

It is therefore our challenge and responsibility to strengthen international institutions to safeguard peace and security. That involves the legitimate and peaceful resolution of disputes, including regulating trade and promoting, protecting and guaranteeing human rights and the fundamental rights of all, as well as sovereignty over water, air, soil, mineral and energy and agricultural resources.

How can we ensure that efforts to establish the rule of law and democracy also address human rights violations in terms of current norms and that crimes against humanity will not go unpunished? We must ensure that social progress overcomes criminal terrorism and the criminal authoritarian powers and terrorist and mafia groups, and that massacres and indiscriminate attacks against civilians, ethnic cleansing, forced disappearances, extrajudicial executions, violence against women, torture, illegal detentions, arms trafficking, violations of the rights of children, drugs and human trafficking and the so-called "gulags" of our time will be overcome, leading to a life of dignity and freedom for peoples and individuals.

Argentina is convinced that such atrocities proliferate because, in the face of those atrocious crimes, impunity remains an unwritten rule. Impunity is the so-called other face of human rights and the rule of law that is seen in most parts of the international community, particularly among the most powerful. In that context, it is exactly in conflict and post-conflict situations that it becomes urgently necessary to ensure that impunity is not allowed to prevail. That is why it is important to establish an independent judicial power and police and prison systems that adhere to the norms of human rights law.

Commissions of inquiry, whether national or international, play a fundamental role. Argentina welcomes the fact that the Council has expressed its willingness to refer situations to the International Fact-Finding Commission established by the first Protocol additional to the Geneva Conventions of 12 August 1949.

Some national justice systems include referral to the International Criminal Court (ICC) by the Council or by States members themselves. In that respect, United Nations operations and missions play an important role in strengthening efforts of States and the ICC. Particularly relevant in that regard are the Secretary-General's guidance on contacts with persons who are the subject of arrest warrants or summonses issued by the ICC.

Sometimes we encounter catastrophic news headlines regarding our countries of the South. A few days ago, there was a discussion about an abysmal situation in my country. I am referring to a specific matter. On Monday it was reported that in my province, Mendoza, in 2013, certain unconstitutional laws involving impunity were repealed based on a noteworthy case from the province. Forty-one people were charged with committing more than 200 crimes against humanity. The accused were not only police, military and prison staff, but also judges and public prosecutors and defenders. They had refused to listen to the victims; they had refused to carry out justice.

That is why I say that sometimes the measures of the levels of civilization or barbarity that continue to be used to describe or to rank countries, as mentioned in the report, cannot be used in decisions regarding peacekeeping operations or special political missions.

We want countries to be treated equally in matters of human rights and democracy and in matters involving strict respect for human rights. Argentina has not invented anything new in that regard. We are simply stating that which is contained the "Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels", namely,

> "that the rule of law and development are strongly interrelated and mutually reinforcing, that the advancement of the rule of law at the national and international levels is essential for sustained and inclusive economic growth, sustainable development, the eradication of poverty and hunger and the full realization of all human rights and fundamental freedoms, including the right to development, all of which in turn reinforce the rule of law". (*General Assembly resolution 67/1, para. 7*)

In conclusion, I believe that Council members are aware that the Organization is experiencing a crucial moment. It is the era between the Millennium Development Goals and the sustainable development goals. Let us therefore set the goal of achieving the reality of the Charter of the United Nations.

Truly, scandalous inequality must end. Although it is not reflected in international treaties, we can ensure peace and security only through international social policies based on human rights, rather than relying solely on aid. To achieve that, the commitment of the international community is essential. Inequality in access to rights must be eliminated. In other words, we need to deal with the various forms of insecurity. If insecurity grows, there will not be lasting peace.

In conclusion, I would like to stress the need to free ourselves from the yoke of uniformity, the unjust predominance of categorization and the authoritarian trap of imposing a one-size-fits-all criterion on countries. That is why Argentina, like the Secretary-General in his report, feels that it would be useful to have a method by which Member States, together with the Organization, could assess the impact of activities in the area of the rule of law. Those basic guidelines should be universal with regard to human rights, but matters should be put in context and be very specific, so as to be able to take into account the multiplicity and diversity of our worlds, our potentials, our differences and our respective dignities. Therefore, the issue is not about trying to build the rule of law so as to impose homogeneity or to manipulate States with one single model for a State. What we need to do is to listen, consider, understand, feel, include and express through our work the concerns and the life plans and social contracts of various peoples, not just democracy. We must also think about a rule of law that is legitimate, realistic and effective.

We need to recognize that the strengthening of the rule of law at the national level goes a lot further than the mandates of peacekeeping operations and special political missions. Together with national ownership, Argentina firmly believes in the validity of regional mechanisms that are democratic, such as the kind we have seen in Latin America and the Caribbean. This debate reaffirms something we sometimes tend to forget, namely, that the elements that underpin the Declaration of the High-level Meeting of the General Assembly are all interlinked: human rights, the rule of law and democracy.

Mr. Cherif (Chad) (*spoke in French*): Thank you, Mr. President, for convening this open debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security. I would also like to thank the Secretary-General for his briefing, as well as all those who spoke before me for their valuable contributions.

Chad welcomes the growing number of Security Council initiatives to hold such important debates as the meeting this morning, with the adoption of important presidential statements as well. The work done in this field by the Secretary-General and the increasing efforts of the Secretary-General in implementing and following up on the conclusions of those initiatives demonstrates the relevance of the subjects addressed and the convergence of views within the international community with regard to the need for continued deliberations in order to reach the goals we have set out.

One of the consequences of war, as we know, is the obliteration of the rule of law, because, during war or following war, State institutions and laws are sorely tested. The judiciary no longer plays its traditional role as arbiter, adjuster or controller of the law. In the wake of that situation, impunity and disorder take root at all levels. Security can no longer be guaranteed, because the forces usually responsible for maintaining public order are inoperative. Violence against women, children and other vulnerable persons assumes an extraordinary scale. In sum, the State in all its forms is shattered. There are ample examples throughout the world, particularly in Africa and the Middle East, where public opinion is dominated by the quest for peace and security, the restoration of State authority, the fight against impunity and the reorganization of the army and security service and so on.

The widespread United Nations missions and offices and deployments of regional forces — African and European — in Mali, the Central African Republic, the Democratic Republic of the Congo, Somalia, Darfur, South Sudan and Yemen, for example, all show the concern of the international community to address the gravity of those situations. Commendable efforts continue to be made to address them. In that context, the rule of law remains a long-standing quest, because the very foundations of the State must be rebuilt. Some countries, although they may not have experienced war, may still be fragile States, owing to social, cultural and historical legacies, but above all, perhaps, because of poor governance, which explains the poor performance of their institutions.

The solutions advocated to promote and bolster the rule of law, including reinforcing or re-establishing national legislation and institutions, and the training and establishment of transitional justice, are, of course, effective. However, they must be supported by commensurate efforts to combat poverty and illiteracy. Establishing democracy and good governance in States can be the best way to ensure the strengthening or restoration of the rule of law, because in a democratic State there is no place for injustice, corruption and human rights violations. Impunity is the primary source of crime in most countries, and countries must mercilessly combat crime with the appropriate means. At the national level, the involvement of civil society and religious and traditional leaders in prevention and conflict-resolution mechanisms is increasingly being encouraged, as is the case in Chad and, more recently, in the Central African Republic and Mali.

The Declaration of the High-Level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1) established a close linkage between the rule of law and the three pillars of the United Nations, namely, peace and security, human rights and development. That makes it possible for United Nations efforts to take concrete form, not only in the area of human rights but also with respect to women and children, international justice, the limitation of small arms and light weapons and other actions, such as combating corruption and international crime and access to genetic resources. Those are all aspects of the rule of law.

It is important to underscore that the question of international justice is rightfully within the framework of international law issues. Combating impunity at the national level should be supplemented by increased efforts to combat that phenomenon at the international level. That requires reaffirming the role of international criminal justice by guaranteeing that it has the necessary resources to discharge its duty. Terrorism and international crime must be combated by the United Nations in close cooperation with States and international organizations.

The efforts being made by the States of the Sahel to pool their resources to combat terrorism, as part of the Nouakchott process, with the recent establishment by the group of five of the Sahel — Burkina Faso, Mali, Mauritania, the Niger and Chad — deserves to be welcomed and supported by the entire international community, given the scale of the threats to which our people are exposed as a result of the terrorists and narcotraffickers who are pillaging the region.

In conclusion, strengthening the rule of law at the international level should be based on a holistic strategy that is clear and precise, involving regional and subregional entities. That strategy must include conflict-prevention mechanisms, a prohibition on small arms, the strengthening of the fight against impunity through legal cooperation, and the strengthening of national and international tribunals.

Mrs. DiCarlo (United States of America): I thank you, Mr. President, for your presence here today and for organizing this debate on the vitally important issue of the rule of law. We also thank the Secretary-General for his valuable comments.

Respect for the rule of law is critical for the establishment of stable, secure and democratic post-conflict societies, but it takes hard work, sustained over a long period of time, to build a culture of respect for the rule of law in a post-conflict context, and it takes the support of the international community. As a result, it is important for us to consider what tools the United Nations can use to help foster the rule of law in nations emerging from conflict.

In the wake of conflict, United Nations involvement often comes in the form of peacekeeping operations, and peacekeeping operations are particularly well positioned to spearhead the strengthening of rule-of-law institutions. Peacekeeping missions should always include rule-of-law experts who can serve on the front lines of efforts to support national justice and accountability.

For example, the United Nations Operation in Côte d'Ivoire (UNOCI) assisted the Government after conflict in restoring a civilian policing presence throughout the country and restructuring the internal security services. It also supported the Ministry of the Interior and Security in developing draft laws and regulations on the organizational structure, jurisdiction and functioning of the national police. As part of that, with the United Nations country team, UNOCI provided training to some 500 members of the national security forces on the protection of civilians. Meanwhile, in Haiti, the United Nations Stabilization Mission in Haiti's investment in the Haitian National Police as part of a broad effort to promote the rule of law has reduced Haiti's reliance on international military forces to provide day-to-day security.

Against that backdrop, peacekeeping missions can also play an important role in supporting national and international efforts to bring to justice those responsible for war crimes, crimes against humanity and genocide, including through support for the apprehension of fugitives.

In addition to peacekeeping, United Nations development programmes have made significant contributions to the rule of law. For example, the United Nations Development Programme rule of law programme in Darfur raises awareness of human rights and the rule of law. It works with local leaders, organizations and authorities to help end violations of international human rights law. The goal is both to restore people's confidence in rule-of-law institutions and to gradually build a culture of rule of law and justice in the region. In the Democratic Republic of the Congo, the United Nations has assisted in the establishment of mobile courts that have helped the country's justice system tackle the challenge of sexual and gender-based violence in the conflict-ridden east.

While it is important to consider the individual tools that are available, it is also important that the United Nations rule-of-law activities take a holistic, integrated and balanced approach. The Secretary-General's institutional reforms in that respect are especially welcome. The strategic role of the Rule of Law Coordination and Resource Group, chaired by the Deputy Secretary-General, and the United Nations global focal point arrangement on the rule of law, where the Department of Peacekeeping Operations works with the United Nations Development Programme, could help enhance coordination and lead to concrete results on the ground. We are encouraged that those United Nations entities are joining forces to develop and implement common police, justice and corrections programmes. We hope that those efforts will remove the disconnect that sometimes exists between New York and the field. In that context, we understand that the global focal point is now coordinating on rule-of-law issues in Mali, and we look forward to the outcome of that work.

Ultimately, national ownership is essential in successfully advancing the rule of law. Governments at all levels must buy into the core tenets of the rule of law. That includes the central principle that Governments are accountable to the law and that no person is above the law. Only through a commitment to the rule of law at the highest levels can the rule of law permeate through all levels of society.

Let me reiterate that we strongly support the United Nations doing its part in promoting the rule of law and encourage it to foster a culture of accountability in all of its work.

Ms. Lucas (Luxembourg) (*spoke in French*): I would like to begin by commending the Lithuanian presidency of the Security Council for having convened this open debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security, a topic that is particularly close to our heart. I also thank the Secretary-General for his briefing and his report (S/2013/341) on measuring the effectiveness of the support provided by the United Nations system for the promotion of the rule of law in conflict and post-conflict situations.

I fully agree with the statement to be made by the observer of the European Union.

We welcome the fact that the Security Council has repeatedly made the issue of the rule of law the theme of its debates. Today, it is widely accepted that the restoration of the rule of law in post-conflict societies is a crucial element to prevent the resurgence of conflict. National reconciliation and transitional justice are closely linked to that. Since the adoption in 1993 by the General Assembly of the first resolution on the rule of law (resolution 48/132), the concept of the rule of law has been established as the essential element of any system of governance based on democratic values and the primacy of the law, whether at the national or international level.

The work of the United Nations to promote the rule of law is essential to international peace and security. During conflicts and afterwards, it is important to help countries restore the rule of law by ensuring respect for the principle of accountability, providing assistance to victims, improving the normative framework for transitional justice and restoring citizens' confidence in their legal institutions and security bodies.

The 2012 Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1) rightly emphasized the need to help countries develop more effective civilian capacities and strengthen their institutions in the aftermath of conflict, including through peacekeeping and peacebuilding missions. Given the scope of the undertaking, it is important that the Organization plan its missions through a coordinated and strategic approach. In that regard, we welcome the appointment of a global focal point that links the Department of Peacekeeping Operations and the United Nations Development Programme in overseeing the areas of the police, justice and prison systems and the empowerment of those working in the field.

The Council also has an active role in promoting the rule of law. As the Secretary-General recalled this morning, currently 18 of the 28 United Nations missions are mandated to promote the rule of law. The most recent case is the mission in the Central African Republic. By adopting resolution 2134 (2014), we also strengthened the mandate of the United Nations Integrated Peacebuilding Office in the Central African Republic in its support for the strengthening of the rule of law.

The belief that crime will not go unpunished is an integral part of the very notion of justice. Therefore, there can be no amnesty for perpetrators of the most serious crimes, namely, genocide, crimes against humanity, war crimes and crimes of aggression. The establishment of the International Criminal Court (ICC) is a result of such thinking, and it has strengthened the fight against impunity for those crimes as well as the credibility of the rule of law.

As we have noted many times before in the Council, the roles of the Security Council and the International Criminal Court are also complementary, insofar as the two institutions are working for peace and justice. Resolution 2100 (2013), on Mali, therefore mandates the United Nations Multidimensional Integrated Stabilization Mission in Mali to contribute to the work of the Malian authorities to bring to justice the perpetrators of war crimes and crimes against humanity committed in Mali, taking into account the fact that they have referred the situation in their country to the ICC. That example clearly illustrates the support that United Nations missions can provide national and international justice.

I should like to stress in this context the importance of the Secretariat's fully applying, including for current operations on the ground, the guidelines that exist with regard to relations between United Nations officials and those subject to an arrest warrant or called upon to appear before the International Criminal Court.

The report of the Secretary-General quite rightly stresses that the strengthening of national capacities in the area of collecting, verifying and analysing data should be an integral part of the design of projects and programmes, in order to strengthen cooperation in the area of analysing the results. I welcome the elaboration by the Department of Peacekeeping Operations and the High Commissioner for Human Rights of a number of benchmarks for the rule of law that make it possible to assess progress in conflict and post-conflict situations. We are particularly pleased to hear that this project, which Luxembourg actively supports, has already proved worthwhile in Haiti, Liberia and South Sudan. In order to best promote the rule of law, the effectiveness of institutions must be judged according to empirical criteria.

Allow me to conclude by stating the importance of taking into account the protection of children in the promotion and strengthening of the rule of law. Children are very often the first victims of conflicts, and sometimes they are even forced to become combatants. They therefore have very specific needs that must be taken into account in conflict and post-conflict situations, including in the framework of programmes relating to disarmament, demobilization and reintegration; security-sector reform; and transitional justice.

Mr. Zagaynov (Russian Federation) (*spoke in Russian*): First of all, allow me to thank the Lithuanian presidency for holding today's meeting. We are grateful to the Secretary-General for his participation in the meeting and for his comprehensive briefing.

The Russian Federation is firmly committed to the rule of law at the national and international levels. We believe that the primary focus for the United Nations should be on the maintenance of the rule of law at the international level, incorporating the Security Council's primary responsibility for the maintenance of international peace and security.

We see that there is great potential for improving the situation in terms of ensuring strict compliance by Member States with their international obligations and resolving international disputes by peaceful means. Evidence that problems exist in the area of the rule of law at the international level can be seen, for example, in the continuing attempts to use force or the threat of the use of force at the international level, in circumvention of the Charter of the United Nations, and in attempts to interfere in the internal affairs of States involved in complex internal political processes.

The rule of law is of fundamental importance for peacekeeping and peacebuilding activities. Many United Nations operations and special political missions are being deployed in States that are far from having overcome their internal political crises, and United Nations missions are forced to assume those functions that States are unable to fulfil fully in the immediate aftermath of the hot phase of a conflict.

The Security Council, in responding to changing international realities, is giving those missions more integrated mandates that include peacebuilding components, namely, security-sector reform; disarmament, demobilization and reintegration; and support for the restoration of the rule of law. We are convinced that mandates, despite their multifaceted nature, should be as clear and as achieveable as possible in the field and encompass those tasks that must be addressed to overcome the causes of conflict and to meet the real needs of specific post-conflict States.

The main objective of peacebuilding is to eradicate the root causes of conflict in order to prevent them from recurring. That is primarily an internal State process in which the United Nations and regional organizations are given the role of supporting national efforts. In the process of the provision of support, it is imperative to abide by the principles of respect for the sovereignty and territorial integrity of post-conflict States and to recognize national responsibility for peacebuilding.

The focus should be on developing balanced legal mechanisms for reconciliation and integration in conflict and post-conflict societies, based on a well-thought-out and pragmatic approach. The Organization's efforts in the area of constitution-building and strengthening justice and governance institutions must unconditionally include the principle of non-interference in States' internal affairs.

It is also important to take account of political, historical, legal, cultural, religious and other specificities and to avoid the introduction of elements unsuited to local circumstances.

In the rule-of-law activities of the United Nations, there is an increasing focus not on the international but the national aspect of the rule of law. We are concerned in that context by rule-of-law policy dimensions in different countries that are based on single indicators that were not previously agreed with States.

Mention has already been made of the fact that this methodology is being used not only in post-conflict peacebuilding settings but in other spheres, in particular in the context of preparing for the post-2015 development agenda. We do not believe that the rule of law can be measured in this way. The unique and diverse nature of national rule-of-law models makes it impossible to develop a single measurement for all. Given the importance and sensitivity of this issue, States should be included in work on the rule of law at all stages of project development and implementation. It is States that should determine the strategic areas of work in this field. Only on that basis will it be possible in principle to use the expert capacity of civil society. We call on the Secretariat to ensure that work in this area is carried out with full transparency and accountability.

In the light of the Secretariat's institutional reforms and the importance of this area, we think that it would be useful to conduct a comprehensive external assessment of the effectiveness of the work of the existing United

Nations rule-of-law mechanisms in order to optimize their structures and functions.

Mr. Oh Joon (Republic of Korea): I should like to thank you, Sir, and the Lithuanian presidency for having convened this important debate with the participation of the wider membership. I also extend my appreciation to the Secretary-General for his presentation, which articulated many important aspects that will help us focus on the topic.

The Republic of Korea reiterates its commitment to an international order based on a global legal framework and the rule of law with the United Nations at its centre. The strengthening of the rule of law contributes to the promotion of human rights as well as sustainable peace and development. Historically, their neglect has been both a cause and a consequence of conflict. As clearly stated in presidential statement S/PRST/2012/1,

> "sustainable peace requires an integrated approach based on coherence between political, security, development, human rights, including gender equality, and rule of law and justice activities".

It is encouraging that the Security Council has been making a growing contribution to the rule of law, with 18 current United Nations field missions already having rule-of-law dimensions. Council-mandated tasks are wide-ranging and include the drafting of constitutions and legislative reform, the strengthening of institutions and support to transitional justice processes.

We would also like to highlight the Council's continued commitment to improving the overall effectiveness and efficiency of peacekeeping operations by incorporating tasks related to the rule of law as well as to the promotion of gender equality and the empowerment of women.

Accountability is at the heart of the rule of law, and combating impunity is a vital aspect of its effective application. Following the blueprint established by the post-war Nuremberg and Tokyo trials, in 1993 the Council revived the concept of international criminal justice. The Council established the International Criminal Tribunals for the former Yugoslavia and for Rwanda, which served as a source of inspiration for the establishment of the International Criminal Court. We are pleased to note that this international criminal justice system has made significant progress in the fight against impunity. Perpetrators of serious international humanitarian and human rights crimes must be held to account. Special consideration must also be given to women, children and other vulnerable groups in conflict and post-conflict situations.

The rule of law also has an important role to play in the settlement of international disputes. Chapter VI of the Charter of the United Nations details a number of methods for that purpose. In particular, we note that the 2012 Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1) accurately reflects the basic principle of the international community regarding Member States seeking a peaceful solution of their own choice to disputes, as stipulated in Article 33 of the Charter of the United Nations.

We support the Secretary-General's extensive efforts to ensure greater coordination and coherence in the United Nations rule-of-law activities in conflict-affected societies. We welcome the enhanced responsibility of those in the field, the increased support at Headquarters and the designation of the Department of Peacekeeping Operations and United Nations Development Programme as the joint global focal point that will play a Headquarters role. Given the critical importance of coordination and coherence, we call on all participating bodies to redouble their efforts in that regard.

In conclusion, we reaffirm our commitment to promoting the rule of law in all its dimensions. We will strengthen our contribution to rule-of-law initiatives, including by assisting in capacity-building for partner countries around the world.

Mr. Wang Min (China) (*spoke in Chinese*): China commends Lithuania for its initiative in convening this open debate on the rule of law. We welcome Mr. Linkevičius, Lithuania's Minister for Foreign Affairs, to preside over today's meeting. We listened carefully to the briefing by Secretary-General Ban Ki-moon.

Building the rule of law is essential to achieving and building peace in countries in conflict and post-conflict situations. Strengthening the rule of law at the international level is fundamental for the maintenance of international peace and security and the promotion of cooperation among States. It is also in the common interests of all countries and those of the international community. China would like to make the following observations on the rule of law.

First, all countries share the goal of achieving the rule of law. Because of the differences in national conditions and levels of development, there is no single universal model for the rule of law for all. At the national level, countries are entitled to independently choose the paths towards the rule of law that suit their national conditions. Countries with different rule-of-law practices should learn from each other and seek common development. To strengthen the rule of law at the international level, it is necessary to strictly abide by the norms of international law. In the conduct of international affairs, it is critical to uphold the purposes and principles of the Charter of the United Nations, adhere to such important principles as the sovereign equality of nations and non-interference in internal affairs, reject power politics and aggression and honour international obligations in good faith.

Secondly, the rule of law is an important guarantee for friendly relations among nations as equals. The Charter of the United Nations is the point of departure for achieving the rule of law. The Charter and the basic principles of international law it enshrines constitute the core of the international legal order as well as the foundation of the rule of law at the international level. The purposes and principles of the Charter represent the reflection of human society on war. It is imperative that all countries uphold the authority of the Charter, maintain the post-war international order and the gains from the global anti-fascist war and deal with international affairs in strict observance of the Charter and the basic principles of international law. They must strongly oppose any action contravening historical justice, the human conscience and international norms.

Thirdly, the peaceful settlement of disputes is a necessary component of the rule of law. Resolving disputes through peaceful means represents the basic principle of international law. It is inseparable from building the rule of law at the international level. The peaceful settlement of disputes and the non-use of force are important components of the rule of law at the international level and both constitute core principles of the Charter of the United Nations and the foundation of contemporary international law. They represent international obligations that all countries should honour. Charter VI of the Charter provides for various means to resolve disputes peacefully. We support the resolution of disputes through peaceful means, in keeping with the Charter, and call on all countries to respect each other's legitimate rights to choose its own means of peacefully settling disputes.

Fourthly, an integrated approach should be taken to establishing the rule of law in countries in conflict and post-conflict situations. To ensure the effectiveness and sustainability of the rule of law in such countries, it is critical to promote coordinated and mutually reinforcing progress in the rule of law, the political process, economic development and national reconciliation. It is important to respect the sovereignty of countries in conflict and post-conflict situations and work to enhance their capacity in nation-building. Efforts to strengthen the rule of law in such countries should take into account the reality and the needs on the ground, so that the building of the rule of law will accord with their national condintions and needs.

Fifthly, it is important to properly handle the relationship between keeping peace and seeking judicial justice. Peace and justice are two worthy goals pursued by humankind. They complement and reinforce each other. Achieving judicial justice is not simply a legal issue; it is closely linked to political, economic and cultural factors. The pursuit of judicial justice should be conducive to achieving reconciliation and stability, rather than sacrificing the peace process and undermining national reconciliation in the countries concerned.

Sir Mark Lyall Grant (United Kingdom): Thank you, Sir, for having organized and for presiding over this important debate. I would also like to thank the Secretary-General for his briefing and the Deputy-Secretary-General for his presence today and his personal leadership on this issue.

We strongly support the draft presidential statement proposed by Lithuania and call on all Member States to do likewise.

As we seek to prevent conflict, halt violence and build lasting peace around the world, we must not overlook the importance of justice, accountability and the protection of human rights. Strengthening the rule of law should be a core priority for the Council. Equally, the United Nations should be at the forefront of international efforts to support countries emerging from conflict to improve their rule-of-law systems.

History has taught us that one cannot have lasting peace without justice, accountability and reconciliation. Popular uprisings around the world demonstrate that nations cannot maintain lasting peace and prosperity while denying their citizens basic rights and justice. Effective, accountable and accessible security and justice institutions protect individual rights and prevent violent conflict.

Council-mandated missions working in coordination with other parts of the United Nations system are critical to strengthening national rule-of-law systems. For that reason, the United Kingdom supports the Secretary-General's efforts to strengthen the United Nations institutional arrangements, in particular provisions to empower field leaders and United Nations joint work through a global focal point for police, justice and corrections. We hope that those steps will make a positive contribution to the quality of support delivered to conflict-affected countries. We urge the Secretary-General to continue to improve the Organization's ability to measure and to evaluate the effectiveness of its support. We know that that is challenging, but the United Nations must show evidence of the difference that it makes on the ground in countries recovering from conflict because, without such evidence, it risks losing credibility in the eyes of those that it is trying to help.

The United Kingdom is also playing its own part in strengthening national rule-of-law systems in conflict-affected regions. This year, we will be the only Group of 20 country to spend 0.7 per cent of our gross national income on overseas aid, at least 30 per cent of which will be spent in conflict-affected countries. We have committed $84 million per year to helping improve security and justice in 16 different countries, including the Democratic Republic of the Congo and Sierra Leone. That will support a range of activities, including facilitating access to security and justice for 10 million women around the world.

Twenty years ago, impunity for war crimes was the norm. We have worked hard to break that norm. While there is still more work to do, in recent decades we have entered a new age of accountability. We have built the architecture of international justice so that individuals responsible for appalling crimes have been and are being prosecuted. There have been significant advances in international law, such as defining gender crimes and establishing that genocide can be committed through rape and sexual violence. Efforts by some Member States to oppose such gains are reprehensible and must be resisted.

There must be no impunity for the most important crimes. The perpetrators of crimes such as genocide, war crimes and crimes against humanity must be held accountable. The message of the past two decades is clear: those who commit heinous crimes will not rest easily. International justice is patient and its reach is long. There is no expiry date for such crimes. They will be prosecuted.

The United Kingdom reiterates its call for States to fully meet their obligations to the International Criminal Court (ICC) — both those obligations that fall to States parties to the Rome Statute and those that follow from the decisions of the Council. We will continue to use our voice in the Council to encourage the effective follow-up of Council decisions with respect to the ICC. We thank the United Nations for its important contributions in the fight against impunity. In particular, we welcome the Secretary-General's issuance of the latest guidance on contacts with International Criminal Court indictees.

The United Kingdom is proud of its role in strengthening the international rule of law. We are engaged in all six existing international criminal tribunals. We are the only permanent member to accept the compulsory jurisdiction of the International Court of Justice. We are one of only two permanent members of the Security Council to have ratified the Rome Statute. And we are steadfast supporters of the International Criminal Court.

We must all use the Council's authority to fight impunity and help countries recovering from conflict to rebuild their rule-of-law systems so that people everywhere are safe and have access to the justice that they so rightly deserve.

Mr. Nduhungirehe (Rwanda): I thank you, Mr. President, for organizing this important open debate on the rule of law. We believe that this debate is a perfect continuation of the debate organized last month by the Jordanian presidency on war, its lessons and the search for a permanent peace (see S/PV.7105). Indeed, there can be no permanent peace in countries emerging from conflict without strong decisions, good governance and the rule of law. I also thank Secretary-General Ban Ki-moon for his briefing and for his tireless efforts in promoting the rule of law around the world.

As the concept note for this debate (S/2014/75, annex) highlights, many countries that have experienced conflict face many challenges, including the potential for a relapse into conflict. Once a country experiences civil strife, it is prone to additional episodes of violence. While there are many causes of that trend, the simple understanding is that either the arrangement in the conflict settlement did not address the root causes of the conflict or that post-conflict political institutions are not able to meet the challenges of rebuilding the society, including the establishment of effective and functioning institutions and reconciliation and accountability mechanisms.

Rwanda recognizes the importance of the rule of law as a significant tool for conflict prevention, conflict resolution and peacebuilding. We believe that fighting impunity while strengthening national justice mechanisms for the fair and full protection of all promotes good governance, which mitigates conflict, helps reduce the risk relapsing into further conflict and creates the conditions conducive to development and peace.

From our own experience since 1994, we can testify that impunity is one of the factors that led to the genocide and that, indeed, impunity breeds criminality. As we commemorate the twentieth anniversary of the 1994 genocide against the Tutsis in Rwanda, I take this opportunity to commend the countries that have arrested and prosecuted perpetrators of that genocide. We urge all States harbouring genocide suspects, including leaders of the Forces démocratiques de libération du Rwanda, to arrest, extradite or try such suspects in their competent courts.

In Rwanda, the prevailing lawlessness, the collapse of State institutions and anguish were among our immediate challenges after the genocide. Mastering those challenges was a good foundation for our nation-building. We acted fast to put in place law and order and provided venues for recourse, where both the perpetrators and the victims felt safe and that were credible for all to trust. Indeed, transitional justice should be one of the key focuses in post-conflict situations, in order both to confront and address the culture of violence and impunity following mass human rights violations and to begin a healing process within the community through truth, reconciliation, accountability and reparation.

When planning transitional justice institutions, greater efforts should also be made to build the capacity of a country's justice system, which plays a crucial role in post-conflict transitional justice. Governments that function within a constitutional framework and that allow the rule of law to flourish are much less likely to face renewed violence in any form. A fair legal framework that is backed by impartial enforcement and promotes the equality of all before the law offers combatants an alternative way out of war.

In post-conflict situations, rule-of-law reforms have been characterized by a multiplicity of actors and largely uncoordinated projects. While such multiplicity is itself an advantage, we believe that better coordination is needed if one is to achieve tangible results. For Rwanda, as one of the "Delivering as one" pilot countries, we can confirm that the coordination of all activities of United Nations agencies and programmes related to the rule of law generate more results with less recources. We urge the United Nations Secretariat to go beyond the pilot stage and to apply the One UN system in all States Members of the United Nations.

Furthermore, as former Chair of the Peacebuilding Commission (PBC), Rwanda also appreciates the potential of the Commission to support peacebuilding activities in the countries on its agenda. Given its unique composition, its experience and its advisory role to the Security Council, we believe that the United Nations system should better coordinate with the PBC in order to strengthen the rule of law in countries emerging from conflict.

We support the strengthened leadership and the new institutional arrangements in place for addressing the challenges faced in strengthening the rule of law. We note with satisfaction the designation of the Department of Peacekeeping Operations and the United Nations Development Programme as a joint global focus point for the police, justice and corrections areas in the rule of law in post-conflict and other crisis situations. Rwanda looks forward to strengthened collaboration with the global focal point, not only as one of the leading troop- and police-contributing countries but also as the current Chair of the group of friends of corrections.

We commend the ongoing efforts to strengthen national data collection and the country-level rule-of-law assessments conducted jointly by United Nations entities using an inter-disciplinary approach. However, we are of the view that greater inclusion of concerned Government institutions would add value, given that such bodies better understand the local realities and possess data that are inaccessible to development partners.

In Rwanda, joint governance assessments spearheaded by the Rwanda Government Board, the United Nations Development Programme, the European

Union and many other development partners have been conducted every two years since 2006. Their results are credited with being accurate and objective. We think that that is a best practice that can be applied by other United Nations States Members.

Rwanda believes that the rule of law flourishes or collapses at the national level. Let us all support national institution-building, if we are to strengthen the rule of law in Member States. In that respect, we do not believe, as we have stated on many occasions in the Council, that the International Criminal Court (ICC), which is a politicized court that has so far exclusively targeted Africans, could in any way contribute to the rule of law in our countries. In any case, it is difficult to argue that the ICC has strengthened the fight against impunity for the most serious crimes, given that the Court has issued only a single judgment in 12 years.

To conclude, let me stress the importance of ensuring that international justice mechanisms are not politicized, but are conducted in a business-like, professional, impartial and fair manner, while complementing national jurisdictions. That would strengthen their credibility while at the same time ensuring that the rule-of-law criterion is applied equally to all States, as highlighted in the Declaration of the High-level Meeting of the General Assembly of 24 September 2012 (General Assembly resolution 67/1).

Mr. Sarki (Nigeria): We commend your delegation, Madam President, for its initiative in convening this important debate to explore ways by which the rule of law can be more effectively mainstreamed into the maintenance of international peace and security. We also thank the Secretary-General for his opening remarks.

Respect for and observance of the rule of law is enshrined in the Charter of the United Nations. It is also a fundamental concern of both national and international jurisprudence. The Security Council and the wider United Nations system have had this cardinal subject on their agendas for years, as illustrated by the number of resolutions and presidential statements of the Council, resolutions of the General Assembly and the outcomes of high-level meetings, including the Millennium Declaration and the 2005 World Summit Outcome. Specifically, in September 2012, the General Assembly adopted the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels. It is a landmark document containing all of the essential elements of the rule of law at national and international levels. It affirms that the rule of law applies to all States and to international organizations and that

> "respect for and promotion of the rule of law and justice should guide all of their activities and accord predictability and legitimacy to their actions". (*General Assembly resolution 67/1, para. 2*)

Nigeria believes that the Declaration, adopted at the highest political level by Heads of State and Government, should continue to serve as the core values and principles of the rule of law. There should be no derogation from them. They should not be applied selectively, nor in a discriminatory manner. Nigeria continues to support the observance of the rule of law in all such human rights situations as have been agreed to by all Member States, properly enunciated in existing treatises and arrived at through inclusive intergovernmental processes.

Issues pertaining to international peace and security, peacekeeping operations, the protection of civilians in armed conflict, women and peace and security, children in armed conflict, terrorism and transnational crimes, good governance, accountability, impunity, democratic practice, security sector reform, sexual violence in armed conflict and a host of other subjects have intrinsic to them respect for and observance of the rule of law. It is therefore an all-encompassing topic with wide-ranging implications to the work of the United Nations.

In the management of the transitional period in the immediate aftermath of conflict, United Nations operations in the countries concerned should be given explicit mandates to support the rule-of-law architecture of the host countries. They should assist in building rule-of-law mechanisms that can enjoy public confidence.

When necessary, it would be advisable to deploy experts who would primarily provide technical assistance in relevant fields, especially in the police and the prosecutorial, judicial and corrections sectors. They must be neutral, apolitical and responsive to national requests and must always bear in mind the need for national ownership of the mechanisms being instituted.

The training of national experts and institution-building to support the rule of law at the national level should follow in the wake of peacekeeping operations in fragmented or weak States. Security sector reform should aim to establish civilian oversight and control over the armed forces, the police and security agencies in post-conflict societies.

It is necessary to adopt a comparative approach to guiding efforts to build a strong rule-of-law architecture. Governmental and non-governmental sectors should both benefit from the process of building national capacities. We believe that each country should determine the focus of its national priorities regarding activities that promote and support the rule of law. During the transitional period, leaders and Government officials should exercise their authority under the law as they manage the human, material and natural resources at their disposal.

Evidence shows that the refusal of leaders to respect the rule of law and to subject themselves and their actions to the scrutiny of the law has led to conflict and crises. In the transitional period, efforts should be made to eliminate tendencies to adopt policies and practices that discriminate against women. It is important to adopt laws and promote practices that will protect the rights of women and other vulnerable groups in society. Respect for the rule of law will ensure access by the underprivileged to justice mechanisms and help secure their dignity and empowerment.

We wish, at this juncture, to commend the Secretary-General for his untiring advocacy and support for the rule of law. We note his various reports and initiatives in that regard, which have added considerable value to our appreciation of the importance of the subject.

We also appreciate the recent formulation of the "Rights up front" initiative, which seeks to address early response to threats to national and international peace and security and the protection of vulnerable groups in conflict situations. The lives, rights and dignity of women and all other vulnerable groups must be protected under all circumstances, especially in conflict situations. That is a requirement not only of the rule of law, but also of basic human decency. Children must be shielded from the excesses of conflict and must not be treated in a degrading manner. The use of rape as a weapon of war in conflict must be punished wherever it occurs.

Nigeria remains deeply committed to the observance of the rule of law, as clearly evidenced by the participation of His Excellency President Goodluck Ebele Jonathan in the high-level meeting on the rule of law in September 2012.

We consider justice as a fundamental prerequisite for the establishment of the rule of law and as the basis for peaceful coexistence in the prevention of armed conflict. We are convinced that, while discussing practical approaches to improving the overall impact of rule-of-law mandates, we should also consider how to effectively measure the impact of the efforts made in promoting the rule of law. That would require adopting a yardstick to ascertain the success of our collective efforts in that regard. There should be generally acceptable parameters to measure the impact on the world of United Nations efforts to promote the rule of law. We believe that that is relevant to the debate taking place today.

As the Secretary-General has indicated, he intends to develop strategies for the United Nations system. We encourage Member States to look forward to his proposals, subject them to robust deliberations and agree on the way forward. Respect for the rule of law at all levels is essential for the maintenance of international peace and security. The aspiration to achieve a global system based on the rule of law, where accountability and social justice are the foundations for durable peace, should be a source of inspiration to all. To that end, addressing the global rule-of-law deficit should be a priority for the international community, for world leaders and for citizens.

The President: I wish to remind all speakers to limit their statements to no more than four minutes in order that the Council may carry out its work expeditiously. Delegations with lengthy statements are kindly requested to circulate their texts in writing and to deliver a condensed version. I wish to inform participants that we will be continuing this open debate right through the lunch hour, as we have a very large number of speakers.

After saying that, which is not directly addressed specifically to my friend Edgars Rinkēvičs, I am very happy to give the floor to the Minister for Foreign Affairs of Latvia.

Mr. Rinkēvičs (Latvia): Latvia aligns itself with the statement to be delivered shortly on behalf of the European Union. I should like to make the following remarks in my national capacity.

First of all, allow me to congratulate Lithuania on its first-ever assumption of the presidency of the Security Council and for its initiative in organizing this timely debate on the important topic of the rule of law.

History shows that a strong multilateral, inclusive, rules-based international order is essential for the maintenance of global peace and security. The rule of law is one of the key elements of conflict prevention, peacekeeping, conflict resolution and peacebuilding. The United Nations plays an important role in each of those processes, as do all its States Members, having committed to implementing principles enshrined in the Charter of the United Nations.

There is an undeniable link between the rule of law and the maintenance of peace and security. We welcome the fact that the Security Council has already identified strengthening rule-of-law institutions as a key part of the mandate of United Nations missions. We urge the Council to continue to integrate the rule-of-law aspect in mission mandates in future.

In the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1) in 2012, we all stressed the necessity for greater coordination among United Nations entities and with other international and regional partners in order to improve the effectiveness of capacity-building activities in the field of the rule of law.

Latvia welcomes the reforms of institutional arrangements undertaken by the Secretary-General in that regard. Strengthened responsibilities for United Nations field leadership, joint efforts by the Department of Peacekeeping Operations and the United Nations Development Programme as a global focal point on the rule of law, as well as the development of a United Nations strategy on the rule of law, are certainly steps in the right direction.

In its resolutions, the Council has already explicitly recognized that the support of peacekeeping missions to strengthening rule-of-law institutions in the host country would be a vital contribution to building peace and to ending impunity. To further improve the effectiveness of missions, several steps should be taken, namely, the adoption of an integrated and comprehensive approach to the rule of law in peacekeeping mandates, the development of a tailor-made approach to the specific needs of a host country and the establishment of an efficient reporting and information-collection system to allow a smooth transition from peacekeeping to peacebuilding.

The developments in Mali and the Central African Republic are the most recent examples where we clearly can see that the re-establishment of the rule of law is a primary precondition to ensure definitive conflict resolution and sustainable progress.

After the restoration of its independence, Latvia, along with other Baltic States, undertook democratic transitions, putting into practice the principles of justice and the rule of law. Our experience shows that political will and concerted efforts on the part of both the national Government and the international community are crucial in building a strong rule-of-law framework. A sense of national ownership and strong domestic support are also essential.

Latvia actively contributes to the strengthening of the rule of law in the world. We assist countries in that field and we will further step up those efforts in future. Latvia also provides expertise and technical assistance in the field of justice. It contributes to institutional capacity-building and supports legislative reforms in a number of countries, with a particular focus on the optimization of judicial proceedings, including the use of information and communication technology.

We cannot discuss the concept of the rule of law without reflecting on current developments in Ukraine. With alarm, I follow events in Ukraine, which started as a peaceful protest requesting to respect free choice, the rule of law and justice in Ukraine. Latvia condemns the violence that has resulted in the deaths of more than 20 people, among them women. We request the Government of Ukraine to refrain from the use of force against civilians. We appeal to both sides to refrain from further violent actions, to step back from the confrontation and to return to negotiations in order to restore the rule of law. The President and the Government of Ukraine bear the ultimate responsibility for the situation in the country. The rule of law is not about bullets and water cannon restoring order; it is about the legitimacy of power and political dialogue with the people.

Latvia is particularly concerned about the growth in the number of intra-State conflicts. The failure of national institutions and the international community to prevent and stop violence and serious violations of international law dramatically affects the most vulnerable in society, especially women and children. The Council should continue to address the issue in accordance with its primary responsibility for maintaining international peace and security.

Ending violence against women and preventing discrimination, as well as addressing women's justice and security concerns, are integral parts of strengthening the rule of law. No efforts should be spared to protect women and girls from sexual and gender-based violence and to end impunity for those crimes once and for all. As a member of the UN-Women Executive Board, Latvia actively engages in activities aimed at addressing women's justice and security concerns worldwide. Latvia has taken part in projects aimed at supporting and promoting the role of women in Afghanistan, Iraq and other countries and will continue its activities in that regard.

The Security Council has a unique role in the fight against impunity. Accountability is an integral aspect of the rule of law and offers effective means for the maintenance of international peace and security. Latvia believes that the establishment of the International Criminal Court (ICC) represents an outstanding achievement by the international community in the struggle to end impunity. If the State's primary responsibility to protect the population from massive and widespread violations of human rights cannot be met, the fight against impunity has to be strengthened at the international level. It should be done through the work of the ICC, through ad hoc and mixed tribunals and through other justice and accountability mechanisms. Coherence in their respective approaches through closer cooperation will send a clear signal that the international community will not tolerate impunity.

In conclusion, allow me to reiterate Latvia's commitment to the promotion and protection of the rule of law, as well as our readiness to share our experience and expertise. The rule of law plays a central role in addressing current political, security and humanitarian challenges. Restoring the rule of law is a long-term process that requires the cooperation of all United Nations States Members and agencies as well as other actors in that regard. The Security Council's continued attention to the issue of the rule of law will be essential in our view to reinforce international peace and security.

The President: I now give the floor to Mr. Marcelino Medina González, First Deputy Minister for Foreign Affairs of Cuba.

Mr. Medina González (Cuba) (*spoke in Spanish*): Cuba reiterates its unwavering commitment to the values of equity, solidarity and social justice, both at the national level and through the establishment of a democratic and just international order.

First of all, allow me clearly to state that, in Cuba's opinion, we are not referring here to a new category or a new concept. What today is called the rule of law at the international level is simply the full observance of the purposes and principles of the Charter of the United Nations and the principles of international law.

Regardless of what we call it, respect for the sovereignty, independence and territorial integrity of States, refraining from the use or the threat of use of force, the self-determination of States and non-interference in the internal affairs of States, as clearly set out as early as 1970 in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, is the essential foundation of international law and serves as a prerequisite for the peaceful coexistence of nations for the sake of achieving peace and development, which should be our ultimate goal.

It is difficult to believe that the so-called rule of law does exist in international relations when unilateralism and economic, commercial and financial policies and measures contrary to international law contravene its essential foundations, as do actions aimed at imposing regime change and aimed at interference and intervention, including through the incitement to internal conflict in sovereign States based on foreign agendas of domination and hegemonic influence.

Paragraphs 1 and 3 of the Declaration of the high-level meeting of the General Assembly on the rule of law at the national and international levels (General Assembly resolution 67/1), adopted in September 2012, clearly state that the sovereign equality of States, the fulfilment in good faith of the obligations assumed by them, the peaceful settlement of disputes, abstention from the use or threat of use of force against the territorial integrity or political independence of any State and non-interference in the internal affairs of other members of the international community are basic principles that cannot be violated under any circumstances.

Neither can it be denied that the promotion and strengthening of the so-called rule of law also presupposes respect for the institutions sovereignly established in each State, without discrimination or double standards, and recognition of the legitimate right of peoples to create institutions relevant to their historic evolution, their needs and their economic, sociopolitical and cultural interests. No one can replace or interfere in the determination of national authorities to strengthen their respective political, economic and legal arrangements and in the functioning of their institutions. States owe obedience only to the sovereign will of their peoples and the international obligations undertaken in implementation of that will.

The reform of the United Nations in such a way that it becomes a standard of transparency, democracy and participation of the entire international community in resolving pressing global problems is a fundamental component of the rule of law at the international level. That requires a truly democratic and participatory United Nations, with a transparent and democratized Security Council and a revitalized General Assembly that assumes the central role in the realization of the right of peoples and every human being to a just, democratic and equitable international order and supports the efforts of States in the sovereign construction of the future decided upon by each nation for itself.

In addition, international institutions must also be democratized in the economic, monetary and financial spheres so that they become tools serving the development of peoples and of every human being, leaving behind their despicable role as the guardians of opulence and selfishness. That will require systems of rules and institutions, at the national and international levels, that ensure full participation by peoples and by every human being in the adoption of decisions involving them, the implementation of programmes and policies aimed at promoting and consolidating equity and social justice and the realization of all rights for all peoples and persons.

The attempt to impose formally perfect laws and institutions under certain preconceived canons that have been laid out by the centres of power and the manipulation of matters of global importance, such as the promotion and protection of human rights, not only distort that concept but make it inapplicable.

Therefore, Cuba strongly condemns any measure, policy or unilateral law that is contrary to international law and any attempt to minimize the implementation of article 28 of the Universal Declaration of Human Rights, which states that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Declaration can be fully realized.

Cuba reiterates its clear political will to keep working with the other Member States for the revitalization and strengthening of the Organization. Cuba will remain committed to achieving a democratic and equitable international order that responds to the calls for peace, development and justice by peoples the world over.

The President: I now give the floor to the representative of Brazil.

Mr. Patriota (Brazil): I thank you especially, Madam President, for organizing this open debate. Brazil warmly welcomes the participation of Minister for Foreign Affairs Moreno Charme of Chile. I also recognize the speakers who preceded me: the Minister for Foreign Affairs of Latvia and the First Deputy Minister for Foreign Affairs of Cuba. Brazil also thanks the Secretary-General for his briefing.

It is clear from the Secretary-General's report (S/2013/341) and from the concept note prepared for this debate (S/2014/75, annex) that increased attention has been paid to the need to strengthen and promote the rule of law when implementing mandates related to the maintenance of international peace and security. The United Nations is therefore correct in seeking to ensure greater system-wide coordination when trying to improve the implementation of its mandate related to the rule of law. In order to result in meaningful and long-lasting consequences for the lives of millions around the world, such initiatives must be built upon certain premises, which Brazil would like to highlight.

First, there must be a holistic approach in supporting the host country in its efforts to address the root causes of conflict, advance peace and reconciliation and enhance stability in the post-conflict period. Tailoring and refining the implementation of rule-of-law mandates to local circumstances and needs is key to ensuring national ownership, without which the sustainability of activities will be impaired.

In Haiti, the United Nations Stabilization Mission in Haiti has helped Haitian authorities in the establishment and strengthening of rule-of-law institutions, including the development of the Haitian National Police. At the same time, the Mission has carried out important community violence-reduction programmes and quick-impact projects, which are key to sustaining the population's confidence in the mandate and in the peace dividends of stabilization.

Secondly, there must be an understanding that the rule of law is not only a cause of development, but also a consequence thereof. There is a crucial need for long-term commitment by the international community in supporting national efforts to build structural changes. That presupposes a departure from all-too-common short attention spans for countries in post-conflict situations.

In the complex and non-linear path to sustainable peace, let me single out the enormous potential of the Peacebuilding Commission (PBC), which Brazil is honoured to chair. Brazil underscores the PBC's contribution as a uniquely designed political platform that is able to bring together key actors and help forge greater harmony among the subregional, regional and international levels. There is also ample room in the PBC for the promotion of rule-of-law institutions and the empowerment of women and minority groups.

Third is a conceptual reflection. In Latin languages, "rule of law" is translated as something equivalent to "state of right". In a broad sense, the true name of the rule of law is social justice. What we are actually seeking with the notion of the rule of law is a State of rights in the plural — the establishment or the improvement of a State capable of protecting rights and promoting equal access, including legal access for all citizens irrespective of their origin, sex, creed, political affiliation or race.

We appreciate the most recent report of the Secretary-General on the rule of law. It is worth recalling, nevertheless, that there is no agreed or universal basis on how to assess the levels of implementation of the rule of law. The report itself clearly acknowledges that measuring and evaluating the impact of rule-of-law activities poses a number of challenges, as many of those processes are non-quantifiable, outcomes may take generations to be fully grasped and data collection may prove to be particularly elusive on rule-of-law activities. One should concentrate on the ability to have a sophisticated, long-term, comprehensive understanding of the plurality of countries' circumstances, histories and challenges.

A debate in the Council should be an occasion to discuss the international dimension of the rule of law as well. In today's world, we are, fortunately, heading for new models of global governance in many areas, in which participation will necessarily be larger. New actors, in particular developing countries, are participating more fully in debates on extremely important and vital areas such as human rights, trade, finance and sustainable development.

Regarding the environment, for instance, global governance has already included wide-ranging participation by developing countries. No one would dream of discussing climate change or biodiversity without the important participation of all of the stakeholder countries, including civil society and academia.

In all of these cases, it is clear that this enlarged participation has made a positive contribution to global governance. Unfortunately, in the field of international peace and security, progress has been much slower, but is no less necessary.

The rule of law at the international level is essential to remind us that no State is above the law and that claims of exceptionalism are unacceptable in themselves and extremely damaging to the multilateral system. Multilateral cooperation for peace and security rests on the foundation of the sovereign equality of States. We must be aware of doctrines that seek to erode respect for sovereignty in advancing unilateral agendas. The more multipolar the world becomes, the stronger our reliance must be on the rule of law at the international level as a cornerstone of sustainable peace.

Upholding the rule of law at the international level is part of the responsibilities of the Security Council. We expect the Council to raise its voice against breaches of the primacy of law in international affairs, such as the acquisition of territory by force, disregard for and lack of compliance with international commitments and United Nations resolutions, be it for humanitarian access or the elimination of nuclear weapons, and the illicit flow of arms to conflict zones. These are goals that we must pursue together.

The President: I now give the floor to the representative of Sweden.

Mr. Grunditz (Sweden): I have the honour to speak today on behalf of the Nordic countries — Denmark, Finland, Iceland, Norway and Sweden.

We thank the Lithuanian presidency for arranging this timely open debate and appreciate the opportunity to share our views on the important topic of the rule of law. We welcome the report of the Secretary-General to the Council on the rule of law in conflict and post-conflict situations. In particular, we wish to highlight the reference in the report to the Declaration of the High-level Meeting of the General Assembly on the Rule of Law, in 2012 (General Assembly resolution 67/1), which emphasizes the importance of the rule of law as one of the key elements of conflict prevention, peacekeeping, conflict resolution and peacebuilding. The Declaration stresses that justice, including transitional justice, is a fundamental building block for sustainable peace in countries in conflict and post-conflict situations.

In that context, we would also like to welcome the work of the Secretary-General on furthering the linkages between the rule of law and the three main pillars of the United Nations.

The Nordic countries are pleased to note that the promotion of the rule of law is now established as a core United Nations task across the three pillars of the United Nations: international peace and security, development and human rights. It is both a goal in itself, encompassing democracy, good governance and human rights, and an indispensable means for the achievement of other goals, including the promotion of peace and security.

The New Deal for building peaceful States expresses a similar message. It is thus both logical and essential that the strengthening of the rule of law, including police, justice and corrections institutions, be a key part of Security Council-mandated peacekeeping operations.

The inherent link between freedom from violence, respect for human rights, the rule of law and development makes this a central theme also in the post-2015 agenda.

The effective implementation of the Security Council mandates requires certain arrangements within the United Nations. We welcome the emphasis on system-wide coordination and coherence, and encourage the genuine use of the "delivering as one" model also for the area of the rule of law.

The global focal point for police, justice and corrections matters, at Headquarters level, carries promise and should be strengthened. But the real and visible effect will materialize and be felt only through implementation and impact at the country level. Efforts to ensure coherence and coordination at the country level need to be intensified. Furthermore, the transfer of tasks must be carefully managed when a Security Council-mandated peacekeeping operation is withdrawn or downsized.

At the heart of efforts to rebuild and strengthen the rule of law in the wake of conflict and crisis is the need to ensure that there are reliable and sustainable national institutions. However, the national political will and/or capacity to build and properly manage them might sometimes be insufficient. This political dimension of the rule of law and approaches to address it require more attention and financial support. Senior policy-makers, United Nations mission leadership and country teams, as well as bilateral partners and international financial institutions, need to engage in a context-specific joint dialogue to identify concrete challenges and ways to support political commitment to reform. As part of this, national constituencies should be included when rule-of-law strategies and action plans are formulated. This ought to be a matter of priority.

At the country level, the United Nations rule-of-law indicators can be used by Governments to obtain detailed information on their own law-enforcement agencies, justice system and prison system, in support of their rule-of-law reform efforts. As noted in the report of the Secretary-General (S/2013/341), the indicators assist in measuring the transformation of these institutions over time and in monitoring at the country level.

Another important dimension of strengthening the rule of law in post-conflict situations is to ensure that mutually dependent sectors and actors can proceed in joint processes in a mutually reinforcing manner. It is obvious that courts cannot deliver justice without proper investigation mechanisms, fair prosecution services and functioning legal defence and prison systems.

For the Nordic countries, women's access to justice, material rights and to courts is a matter of particular concern and importance. Women falling victim to violations of their basic right often have very limited access to justice and continue to be subjected to discriminatory laws or application thereof. This does not only exacerbate their situation but prevents them from exercising full and equal participation in the development of their societies.

Another issue of concern is that of legal identity, or lack thereof. Every year 50 million children are born, some of them without birth certificates or other proof of legal identity. Without legal identity, individuals cannot exercise their rights.

Finally, it is important to consistently support engagement to curb impunity by focusing on mechanisms that ensure accountability. It is very difficult to see how the rule of law and trust can be restored in societies traumatized by atrocities and other grave crimes without initiatives to reveal the truth and hold those responsible accountable before the law. The primary responsibility for this rests with States, and it is vital that States be provided with sufficient support for this purpose.

The international community can assist countries, at their request, to develop capacities and institutions that are sound, resilient and accountable, which can help restore confidence and trust in the justice system. The International Criminal Court plays a central, complementary role in ensuring that those responsible for committing war crimes, crimes against humanity and genocide are brought to justice. The continued involvement of the Security Council in the prevention of such crimes, including in the fight against impunity, is crucial. We urge the Council to assist the Court in fulfilling its tasks, including through peacekeeping mandates, following the example of those issued for Mali and the Democratic Republic of the Congo.

The President: I now give the floor to the representative of Guatemala.

Ms. Bolaños Pérez (Guatemala) (*spoke in Spanish*): We thank the delegation of Lithuania for having convened this open debate. We also thank the Secretary-General for his briefing.

As observed in the very instructive concept note (S/2014/75, annex), the mandates of United Nations field presences increasingly incorporate the rule of law in the promotion of international peace and security. In that regard, your delegation, Madam President, has proposed that today's debate focus on how such mandates can be made more effective at strengthening the rule of law and how to ensure continuity of rule-of-law support beyond Security Council mandates. In addressing those questions, our delegation believes that, to generate a peace dividend, there is a need to take a broad approach to both justice and development in the work of the United Nations so as to break cycles of violence, lay the foundations for lasting peace and ultimately strengthen the rule of law.

The international community has witnessed a profound, if gradual, shift in global norms with respect to the use of force and violence in inter-State relations. As a result, the rule of law has consolidated its place at the heart of policymaking processes.

In our view, there have been two major developments in the approach of the Security Council that have been key to producing more effective mandates and sustaining rule-of-law support in the long-term. The first is the recognition of the inextricable link between peace and development, which has enhanced the resilience and adaptation of States to the outbreak, escalation or recurrence of conflict. That recognition was the basis for the establishment, in 2005, of the Peacebuilding Commission to work with the other United Nations entities to achieve lasting peace. Much could be said about post-conflict peacebuilding, but time constraints prevent me from going into detail.

The second development is the Security Council's role in promoting peace and justice, including by its mandate to uphold the rule of law, maintain peace and security and combat impunity while ensuring accountability. Justice is crucial for breaking cycles of violence and fragility. When that is ignored, peace and reconciliation are jeopardized.

Among the tools at our disposal, the International Criminal Court demonstrates the international community's clear commitment to deterring war crimes and mass violations of human rights and humanitarian law. The Court is already having an important impact by putting would-be violators on notice that they cannot be sure of impunity and by serving as a catalyst for enacting national laws against the gravest international crimes.

The International Criminal Court faces complex situations in which the Security Council is trying to achieve parallel objectives in its own sphere of competence. In that sense, it is worth highlighting resolution 2100 (2013), which authorized the United Nations Multidimensional Integrated Stabilization Mission in Mali to support national and international justice efforts, including those concerning the International Criminal Court. The members of the Security Council, as well as the Department of Peacekeeping Operations, should be mindful of the positive synergies between missions and the Court, taking into account their respective mandates. For that reason, we must avoid situations that undermine the Court and existing mandates. In that regard, the United Nations policy on non-essential contacts is helpful as it ensures the enforcement of measures imposed by the Security Council on States.

By embracing peace and development as well as peace and justice, the Security Council has allowed for all rule of law-related matters to be dealt with in an holistic and comprehensive way. It has also opened a window of opportunity for greater cooperation and coordination among major stakeholders.

There is also an international dimension when it comes to cooperation with regional and subregional organizations, especially as a number of regional organizations have become key partners for the United Nations in the implementation of Security Council mandates. Beyond peacekeeping assistance, we believe that it is also necessary to support regional and subregional organizations in capacity-building in political and electoral matters, governance, human rights and the rule of law.

My delegation believes that the Security Council plays an important role in the consolidation of a worldwide system based on the rule of law. Today's debate should not only be concerned with the adequacy of mandates, but also with whether the United Nations is equipped to implement and fulfil them.

The President: I now give the floor to the representative of Israel.

Mr. Prosor (Israel): I would like to recognize that the presence of Deputy-Secretary-General Eliasson brings additional awareness and attention to this important subject.

In December 2010, a Tunisian police officer confiscated the cart of a young street vendor. The same young man had been harassed by local officials for years. Instead of upholding the law, the police demanded a bribe to return the card. Humiliated, distraught and denied legal recourse, the young man went to the headquarters of the provincial Government and lit himself on fire. That young Tunisian became a symbol for men and women in the Arab world who long for freedom. Tens of millions of people understood the desperation felt by that young vendor because they too live in a society without an honest judiciary, an independent media or free elections.

Across the Middle East and North Africa, nations are sinking under the crippling weight of corruption, tyranny and inequality. Mahatma Gandhi famously said, "A nation's greatness is measured by how it treats its weakest members."

In too many parts of the Middle East, the rule of law is not used to protect and defend citizens but rather to discriminate against them. Women are denied their opportunities to make decisions about their future, such as getting an education, pursuing a profession and earning money and choosing how to spend it. In Saudi Arabia, women need a guardian's permission to marry, take classes and travel. That is also the only country in the world that bans women from driving cars. Not long ago, a few brave women defied the ban and were detained by police and fined for the so-called crime of tarnishing the Kingdom's reputation. Tarnishing the Kingdom's reputation? The real stain on the Kingdom is its failure to recognize that by relegating half of its population to the back seat, Saudi Arabia is being steered off course.

In addition to upholding draconian laws that marginalize their civilians, the judicial systems in many Arab nations subject women to unspeakable injustice and violence. Syria and Iraq's legal systems allow rapists to avoid punishment by marrying their victims, while Iranian women are arrested, beaten and even mutilated with acid for not conforming to the regime's so-called moral code.

This past summer, three Iranian Christians were found guilty of "crimes against State security" and sentenced to 10 years in prison. What was the terrible crime that threatened Iran's security? The three Christians were selling Bibles. Iran abuses its judicial system to deny its citizens due process and subject prisoners to inhumane and degrading punishments such as lashings and execution. In 2013, 624 people were executed in Iran, many in secret. Just a few weeks ago, the regime hanged a poet for criticizing its treatment of minorities.

Nation after nation in the Middle East mercilessly persecutes its citizens and seeks to mandate what they should believe, how they should act and whom they can love. In Lebanon, in Egypt and in Syria, the penalty for being gay is imprisonment, while in Yemen and Iran the penalty is death.

In a region known for intolerance and repression, Israel stands out for its commitment to the rule of law. Our Declaration of Independence ensures that the majority governs, while minorities enjoy equal rights. In fact, our Arab citizens in Israel have more rights than Arabs anywhere else in the Middle East.

While most nations in the region relegate women to the margins of society, Israeli women are leaders in every field and discipline, from courtrooms to classrooms and from operating theatres to boardrooms. More than 40 years ago, Golda Meir became Israel's first female Prime Minister, making my country then just the third in the world to elect a woman to its highest office.

Israel's commitment to the free exchange of ideas has made it a destination of choice for reporters, academics and human rights activists. They know that they can speak freely without fear of arbitrary arrest, imprisonment or execution. If someone here were put on trial and had to pick which legal system in the Middle East would hear their case, which nation would they choose? I suspect they would select Israel, where they are guaranteed their day in court, as opposed to our neighbours, where the judicial system is nothing short of a nightmare.

Israel's commitment to freedom means that the burden of condemnation falls disproportionately on Israel. It also means that our struggle to combat terrorism is made more difficult because of our determination to respect the rule of law. As former Israeli Chief Justice Aharon Barak said, "A democracy must sometimes fight with one hand tied behind its back. Even so, a democracy has the upper hand."

The character of a society can be assessed by its commitment to a system of laws that both protect and liberate its citizens. Insecure tyrannies deny their citizens the security of an impartial judiciary. Israel, on the other hand, understands that the rule of law is key to unlocking opportunity. By ensuring its citizens enjoy freedom and empowerment, Israel has built a thriving, prosperous and robust society. While those freedoms present real challenges to our security, Israel is secure in the knowledge that the long-term benefits far outweigh the short-term costs.

A society cannot be truly free until its citizens have the right to challenge the status quo and to openly speak their minds. The Council should do everything in its power to support the brave few who live and die by such ideas.

Somewhere there is a soldier who knows that he is outnumbered and outgunned but who stands tall at his post. Somewhere there is a police officer who refuses to take a bribe even as he struggles to feed his family. Somewhere there is a peaceful protester raising her voice against oppression, knowing that the consequences will be grave. Such men and women are willing to risk their lives because they believe that every person deserves freedom and dignity. They are role models for us all. Let us be inspired by their courage; let us be driven by their strength; and let us strive to be worthy guardians of their ideals.

The President: I now give the floor to the representative of Liechtenstein.

Mr. Wenaweser (Liechtenstein): I would like to thank you, Madam President, for having convened today's debate. We would also like to thank the Secretary-General for his report on measuring the effectiveness of rule of law programmes (S/2013/341).

We are glad to see progress in establishing a culture of measurement across the Organization in response to calls both by this body and by the General Assembly, while also recognizing that there are limits as to how precise that exercise of measuring the United Nations impact on the rule of law can be. Ensuring maximum value for the money invested is of course an important factor in improving the impact of rule-of-law mandates. Perhaps an even more important factor, however, is the political will to prioritize rule-of-law programmes as a means of addressing conflict and post-conflict situations. That is needed in particular at the country level but also among donors, international organizations and, certainly, the Security Council itself.

The Council's commitment to and increasing practice of promoting the rule of law, in particular by including rule-of-law activities in mission mandates, are encouraging and need to continue. But it also needs to be more consistent, as is evident from the Council's own challenges in living up to rule-of-law principles, in particular in the following areas.

The first area is ensuring the proper conduct of United Nations personnel in the field. Peacekeeping missions and other operations mandated by the Security Council undertake crucial activities, many of them in direct support of the rule-of-law architecture in the respective host country. The importance of ensuring that United Nations peacekeepers and other personnel abide by the applicable laws and do not commit crimes cannot be overstated. Much remains to be done to effectively prevent such crimes and to ensure that the perpetrators are brought to justice. Repatriation alone is insufficient to bring about accountability. Greater efforts must be made to prevent impunity for the sake of the victims of such crimes and for the credibility and effectiveness of support for the United Nations in the countries concerned.

The second area is improving relations and cooperation with the International Criminal Court

(ICC). Criminal accountability for the worst crimes under international law is a core element of the rule of law. More than 20 years ago, the Council itself became the pioneer of international criminal justice by establishing the ad hoc tribunals. Since then, it has supported accountability mechanisms, such as the Special Court for Sierra Leone and the Special Tribunal for Lebanon. With the establishment of the ICC and the possibility of Security Council referrals, the Council received a powerful addition to its repertoire.

In theory, the power to refer makes it easier than ever for the Council to promote the rule of law and accountability by simply requesting the services of the Court, which so far are free, in appropriate situations. But practice has shown that the Council is still not fully comfortable with the Court in several respects. The Council has therefore refrained from referring to the ICC several situations that cry out for criminal justice, such as the crisis in Syria. The findings of the United Nations commission of inquiry on human rights in the Democratic People's Republic of Korea challenge the Council to seriously discuss a referral of that tragic situation to the Court.

Where referrals have been made, the Council tiptoes around urgently needed follow-up measures, in particular regarding the Darfur situation. Where States refuse to cooperate with the ICC in relation to Security Council referrals, they effectively refuse to comply with the Council's own decisions. Nevertheless, the Council has regularly failed to respond to notifications of non-cooperation by the Court. It must do more to address that problem. Making institutional arrangements to improve communication and cooperation with the Court would be a step in the right direction. Furthermore, the Council should make greater use of its own operations, such as peacekeeping missions and Sanctions Committees, to support the Court's work, in particular regarding arrest and surrender.

The third area is improving due process standards for sanctions listings. The European Court of Justice recently reminded us in the *Kadi II* case about the continuing difficulty of reconciling the Council's sanctions listing and delisting procedures with international human rights law. We recognize that the Council has made great progress in that regard as far as the Al-Qaida sanctions are concerned thanks to the improved legal mandate and the tireless efforts of the Ombudsperson, Ms. Kimberly Prost. It is becoming increasingly clear that the Council cannot continue to apply vastly different due process standards in the various sanctions regimes. We therefore once again call on the Council to consider expanding the Ombudsperson's mandate to other sanctions regimes step by step and where appropriate.

Before concluding, I would like to briefly turn to an issue that relates to the core of today's topic, namely, the rule of law in the maintenance of international peace and security. Since the last open debate on this issue, the Rome Statute's amendments on the crime of aggression have been ratified by 13 countries, including my own. If the trend continues, we will reach the required 30 ratifications within the next two years. Once the Court's jurisdiction over the crime of aggression is activated in 2017, the Council will have a new policy option for addressing the most serious forms of the illegal use of force, in contravention of the Charter of the United Nations. We continue to actively promote ratifications of the Kampala amendments and stand ready to provide technical assistance to any State interested in ratifying them.

The President: I now give the floor to Mr. Ioannis Vrailas, Deputy Head of Delegation of the European Union to the United Nations.

Mr. Vrailas: I have the honour of speaking on behalf of the European Union and its States members. The candidate countries Montenegro and Serbia, the countries of the Stabilization and Association Process and potential candidates Albania and Bosnia and Herzegovina, as well as Ukraine, the Republic of Moldova and Georgia, align themselves with this statement.

On 28 January, the Council adopted resolution 2134 (2014), on the Central African Republic, reinforcing the mandate of the United Nations Integrated Peacebuilding Office in the Central African Republic, including the crucial aspect of supporting the strengthening of the rule of law. The same resolution authorizes the European Union (EU) to deploy a military operation in the Central African Republic. The European Union is the largest donor to the Central African Republic and has already been involved in matters concerning the rule of law and security sector reform. As soon as security conditions allow, the EU stands ready to re-engage substantially with the Central African Republic authorities in those crucial areas. That will provide the basis for a viable State in the future, in addition to the resumption of all development projects that will contribute to the reconstruction of the country.

That engagement reflects the role played by the European Union and its States members in supporting United Nations actions toward building sustainable peace. We fully share the view expressed in the concept note for today's debate (S/2014/75, annex) that assisting the host countries' efforts to strengthen the rule of law is an important element of United Nations peacekeeping and peacebuilding work. We thank the Lithuanian presidency for having brought this critical issue to the attention of the Security Council and hope that the Council will continue holding open debates on the rule of law on a regular basis. The United Nations has a unique role in supporting the rule of law and its benefits for countries and peoples.

We also reaffirm our attachment to the Declaration adopted by the General Assembly at its High-level Meeting on 24 September 2012 (General Assembly resolution 67/1), which reaffirms that human rights, the rule of law and democracy are interlinked and mutually reinforcing and that the rule of law is a key element of conflict prevention, peacekeeping, conflict resolution and peacebuilding.

Judicial institutions in particular have a critical role in the establishment of peace and security in conflict and post-conflict situations. In countries affected by conflict, it is essential to ensure accountability for the most serious crimes of concern to the international community. The perpetrators of such crimes must be held accountable for their actions. We support an effective and efficient interplay between national justice systems and the International Criminal Court (ICC) in the fight against impunity, in accordance with the principle of complementarity enshrined in the Rome Statute.

We pledged in September 2012 to support peace and security in conflict and post-conflict situations, in particular through supporting United Nations engagement in the rule-of-law area. Since then, the EU has continued to implement its plan of action to enhance EU support to United Nations peacekeeping. In the rule-of-law area, we share with the United Nations best practices and lessons learned in developing civilian capacities, training, and mutual support in developing doctrine and concepts in the area of crisis management, and we coordinate during the planning and conduct of EU civilian missions deployed in support of United Nations operations.

We have recently stepped up our efforts to enhance the coherence and effectiveness of EU external policy and action in conflict or crisis situations by defining a comprehensive approach to external conflict and crisis. That approach aims at coordination and, where possible, a combination of policies, tools and instruments at the EU's disposal, including diplomatic tools, crisis-management missions, trade instruments, development cooperation and humanitarian aid. The comprehensive approach also recognizes that the EU needs to engage and work together with other international and regional actors, including the United Nations.

We note the important role played in that respect by the Department of Peacekeeping Operations (DPKO) and the United Nations Development Programme (UNDP) as the joint global focal point for the police, justice and corrections areas in the rule of law in post-conflict and other crisis situations. It is important that the global focal point initiative also be implemented in the field in order to ensure its impact at country level.

Somalia is another example where the EU is working in close partnership with the United Nations in support of the rule of law and security. Implemented by UNDP, our support has, since 2007, taken a holistic approach. We are working closely with the Special Representative of the Secretary-General to bring forward an integrated support of the United Nations Support Assistance Mission in Somalia and UNDP in the rule-of-law area. The European Union is the main financial donor to the African Union Mission in Somalia and supports the training of defence forces under its training mission. The EU also builds rule-of-law capacities in coastal and maritime areas through EUCAP Nestor, its maritime security capacity-building mission.

The high-level Declaration adopted by the General Assembly on 24 September 2012 on the rule of law stresses the need to strengthen support to States, upon their request, through enhanced technical assistance and capacity-building. We thank the Secretary-General for his report of 11 June 2013 (S/2013/341) on measuring the effectiveness of the support provided by the United Nations system for the promotion of the rule of law in conflict and post-conflict situations, which states that

> "Building national data collection, monitoring and evaluation capacity should be integrated into project and programme design so as to enhance cooperation in measuring results." (*S/2013/341, para. 68*)

We have set up indicators for progress regarding the protection and empowerment of women in conflict and post-conflict situations as part of our comprehensive approach for implementing resolutions 1325 (2000) and 1820 (2008), on women and peace and security. In that matter, we encourage operational cooperation and strategic partnerships, as well as information sharing, training and cooperation on the ground.

As identified in the concept note for today's debate (S/2014/75, annex), adequate human resources and expertise are needed to support States in conflict and post-conflict situations, and regional organizations can help the United Nations in implementing the rule-of-law aspects of its mandates. In that light, sharing best practices and information between the EU and the United Nations feeds into our respective civilian capability-development processes, as both the United Nations and the EU face similar challenges with regard to civilian capabilities.

As a guiding principle, EU-United Nations cooperation in crisis management is based on the value added to both organizations and on producing operational benefits building on complementary efforts on the ground, within the overall aim of ensuring EU-United Nations effectiveness and coherence on peace and security.

We share the view stressed in the report of the High-Level Panel of Eminent Persons on the Post-2015 Development Agenda that

> "Freedom from conflict and violence is the most fundamental human entitlement, and the essential foundation for building peaceful and prosperous societies." (*see A/67/890*)

The President: I now give the floor to the representative of Japan.

Mr. Ishikawa (Japan): I would like to begin by expressing my appreciation to the Lithuanian presidency for its leadership in convening today's open debate on what is an important issue for all and for ciculating a draft presidential statement. I would also like to thank the Secretary-General for his comprehensive briefing, which impressed upon us the importance of today's discussion.

Let me echo many other colleagues in stressing the importance of promoting and strengthening the rule of law in post-conflict situations. The rule of law plays a significant role in preventing the recurrence of conflicts and paving the road to sustainable peace. Japan believes that in extending assistance in the field of the rule of law, the keys to success require a tailor-made approach and long-term efforts.

It is very natural that the challenges a post-conflict country faces in re-establishing the rule of law differ from those that other post-conflict countries face. Therefore, assistance in this field must be tailor-made for the specific conditions of each host country and be under its strong ownership. To that end, countries and relevant international organizations offering assistance must engage in close dialogue with the host country to optimize their available assets as much as possible through close coordination and by making use of their comparative advantages. As a case in point, I would like to share with the Council Japan's effort to assist Afghanistan in strengthening its security maintenance capacity.

The transition in security from the International Security Assistance Force to forces of the Government of Afghanistan started in July 2011, and the need to enhance Afghanistan's capacity, both in quantity and quality, cannot be stressed enough. In that context, Japan has extended assistance in a variety of ways, with special emphasis on supporting Afghanistan's self-reliance on a bilateral basis, as well as by working in cooperation with other like-minded countries and international organizations. In addition to bilateral assistance for Afghan police salaries, which helped to significantly increase the number of police officers, Japan, with a view to enhancing the quality of police officers, has implemented training programmes in Turkey for 1,500 Afghan police officers, in cooperation with the Government of Turkey; conducted literacy education for the Afghan National Police in cooperation with UNESCO; and assisted in criminal justice capacity-building by constructing judicial facilities and training judges and prosecutors through the United Nations Office on Drugs and Crime. I believe that the experience of Japan in Afghanistan shows the importance of capacity enhancement over a wide range of aspects and with effective coordination among the relevant partners, with their respective comparative advantages in mind.

Secondly, I would like to stress that strengthening rule-of-law institutions requires a long-term perspective and enduring efforts on both on the assisting and the receiving sides.

Let me now relate our experience gained in assisting Cambodia in its efforts to rebuild its legal and judicial systems. After the two-decade-long civil war, Cambodia suffered severely from the absence of a system of fundamental legislation and from a lack of competent legal officials. The Japan International Cooperation Agency started the Legal and Judicial Development Project in 1999, in which a Japan-Cambodia joint team drafted a civil code and a code of civil procedure. Since their entry into force in 2007, Japan has continued its assistance in formulating related laws, reinforcing the Cambodian Ministry of Justice and developing professional human resources. Human resource development must be given special emphasis in that field, because a country cannot proceed on the path of the rule of law without its own sustainable institutions. Our experience from over a decade in Cambodia tells us that assistance in the rule of law must be pursued from a long-term perspective.

In conclusion, let me reiterate that Japan stands ready to support those countries working to rebuild themselves in the aftermath of conflict and remains committed to providing assistance in the field of the rule of law.

The President: I now give the floor to the representative of Malaysia.

Mr. Rajah Zaib Shah (Malaysia): At the outset, allow me to join others in thanking the delegation of Lithuania for convening this open debate. We also take the opportunity to thank the Secretary-General for providing a briefing on this important topic.

Just a week ago, the Council convened an open debate on the state of the protection of civilians in armed conflict and how peacekeeping missions can further enhance the protection of civilians who are trapped in harm's way (see S/PV.7109). We believe that an important element in making United Nations missions effective, whether they be peacekeeping or special political missions, is through the strengthening and promotion of the rule of law.

Malaysia shares the view that the careful design of peacekeeping and special political mission mandates plays an important part in addressing the root causes of conflict. The design of mandates is crucial in order to ensure a good fit between the particular mission and the challenges prevailing in the host country. Mandates should not only be thematic in nature, but must also be clear, measurable and achievable. The Secretary-General's report (S/2013/341) recommends that more must be done to measure the Organization's effectiveness in the area of the rule of law, given the weak existing monitoring and evaluation frameworks. While Malaysia is not unaware of the complication of such tasks, we believe nonetheless that it is imperative for the Council to address the matter.

When designing mandates that promote the strengthening of the rule of law, the principle of national ownership must be seriously taken into consideration. The process must be inclusive and take into account the views of local authorities, civil societies and the public. Whether the activities involve political dialogue, reconciliation or peacekeeping, the involvement and commitment on the part of local actors and authorities cannot be put aside. That is important, as peacemaking activities typically begin while the United Nations mission is present and will eventually be led by local stakeholders in later phases.

My delegation reiterates that there is no one-size-fits-all approach to the process of designing mandates. While the rule of law is paramount in instilling public order in countries in conflict, mandates must be specifically tailored to the challenges and needs of the host country. We believe that consultations with troop-contributing and police-contributing countries are an important part of the process in the drafting of mandates and would contribute to identifying relevant sequences and methods in implementing activities.

My delegation understands that the development of robust security, justice institutions and capacity-building in countries in conflict has been difficult and complex. We are encouraged by the work of the United Nations Rule of Law Unit in streamlining the security, justice and corrections sections in all United Nations missions to support the rule of law activities.

Nevertheless, we would like to underline the importance of reflecting cultural and religious sensitivities when carrying out rule-of-law activities in a host country. We must be mindful that the United Nations has 15 ongoing peacekeeping operations and 37 special political missions, and the issue of cultural and religious sensitivities is vital to the success of those missions. To illustrate it simply, conducting capacity-building courses during prayer time would hit a sensitive nerve in certain communities; similarly, convening meetings during religious holidays would also have that effect.

The nexus between peacekeeping and peacebuilding is undeniable, as reflected in resolution 2086 (2013). Malaysia is of the view that peace and security can be approached only through a balanced and integrated approach, from the deployment of peacekeeping and special political missions to the involvement of the Peacebuilding Commission.

Promoting the strengthening of the rule of law in international peace and security must be done in an integrated manner. We should not single out the rule of law as the sole important pillar when supporting countries in conflict. Often, countries in conflict require that security and economic development be established hand in hand. We must bear in mind that developing justice, security and corrections institutions requires that the host country has attained political stability and economic growth. That is important, as governance and the rule of law are interdependent and not exclusive.

We are encouraged at the progress achieved in the countries in transition on the Peacebuilding Commission's agenda. As members of the Commission, those countries have demonstrated political will and commitment to transcend from conflict to stability. With continued international attention, my delegation believes that they could progress further. The synergy between United Nations missions and the Commission could also be further strengthened when undertaking mandates to promote and strengthen the rule of law.

The rule of law accords all States equal respect in international relations. Respect for the Charter of the United Nations is paramount in ensuring international peace and security. Without the rule of law there would not be a United Nations and the world would fall into the disarray of competing nation States. In that regard, my delegation views the work of promoting the rule of law as equally important at the international and regional levels.

To conclude, my delegation is of the view that the promotion and strengthening of the rule of law remains an integral part of the maintenance of international peace and security. While the rule of law is not exclusive, it requires United Nations missions and host Governments not to overlook other equally important fields in taking the process of transition from conflict to stability. Malaysia values this open debate and believes that it advances our agenda on the rule of law. We will continue to support the work to promote the rule of law in maintaining international peace and security.

The President: I now give the floor to the representative of Belgium.

Ms. Frankinet (Belgium) (*spoke in French*): We would like to thank the Lithuanian presidency of the Security Council for convening today's debate. We would also like to thank the Secretary-General for his report (S/2013/341).

Belgium fully endorses the statement just made by the observer of the European Union.

There can be no lasting peace without lasting institutions. It is therefore clear that the mandate of United Nations peacekeeping missions should include a rule-of-law component that is detailed and concise and allows us to measure progress accomplished. In my statement, I should like to address certain aspects of that mandate that we think are essential if one day we hope to achieve the rule of law in a country emerging from conflict.

How can we build lasting institutions when former combatants are still circulating with weapons in hand and there are latent tensions that can at any time spiral into acts of violence, thereby spoiling all the efforts undertaken? Disarming former parties to a conflict, their demobilization and reintegration into civil society are essentail elements in building a State based on the rule of law. The disarmament, demobilization and reintegration (DDR) undertaking should be part and parcel of peacekeeping missions, while appropriate human and material resources should be provided in agreed-upon budgets.

Moreover, security sector reform (SSR) is another indispensable condition for the success of rebuilding efforts for the institutions of a country. That entails re-establishing citizens' trust in the State and a feeling of security for each individual, as well as by reforming the military and establishing services in the areas of the police, tribunals, prisons, border control mechanisms and so on. Such services must work properly and be subject to adequate oversight in line with rule-of-law standards. Accomplishing those crucial tasks undoubteldy requires strong political commitment and national ownership on the part of the countries concerned. Nevertheless, the mandates of peacekeeping operations should provide for specific and substantive support for those crucial reforms.

At each stage, the principle of accountability for war crimes, crimes against humanity and genocide should be applied. In the context of DDR and SSR processes, there can be no amnesty provided for such crimes, much less the reintegration of perpetrators into law enforcement forces. National jurisdictions should therefore be swiftly made capable of prosecuting perpetrators.

The building of the rule of law and of democratic institutions presupposes that animosity between former fighters, and among the citizens themselves, should at least have diminished somewhat since the end of the conflict. To that end, and to avoid a return of violence, United Nations peacekeeping operations should endorse or even initiate all efforts that could bring about a national reconciliation process. In that regard, Belgium welcomes the project for the promotion of dialogue and reconciliation between Muslim and Christian communities in the Central African Republic developed by the United Nations office responsible for the responsibility to protect and prevent genocide.

It is nevertheless clear that peacekeeping operations can hardly tackle those problems head-on nor work alone. The optimal sequence of priorities in this area is a true challenge. Moreover, in addition to peacekeeping operations, many players work on the ground in countries emerging from conflict in the areas of DDR, SSR and institutional reform, be it a United Nations country team or bilateral or multilateral donors.

The effectiveness of United Nations activities on the ground depends on the quality of coordination between United Nations bodies and regional organizations and countries concerned in bilateral efforts as well as with the national authorities of the country. That is a matter not only of preventing duplication, which could be counter-productive, but primarily to guarantee the most effective use of resources earmarked for the establishment of institutions in line with the rule of law.

In that regard, Belgium believes it necessary, from the very beginning of any international intervention, for the United Nations to facilitate or guarantee coordination of institution-rebuilding efforts backing the State concerned, with the vision and national ownership process of building the rule of law being the end goal. We know that national ownership in the context of a fragile State just coming out of conflict could be a hollow concept if there is no genuine political commitment from the local authorities in carrying out this objective. Of course, such commitment should be supported by the resources of the international community but also progressively by the resources of the national budget of the State concerned. Finally, consulting with and bringing women to participate in the institutional rebuilding process, as well as taking into account their situations and particular needs, are yet other guarantees of the lasting nature of the national ownership process.

The end of a peacekeeping operation mandate should not in principle mean the end of the international community's support for the various processes of credible institutional rebuilding in countries emerging from conflict. Lasting transition strategies as well as support strategies should be established that will contribute to the efforts of the Government, other United Nations bodies and bilateral and multilateral donors. Furthermore, the Peacebuilding Commission, which has been referred to many times today, is a useful tool for following up the commitments of the concerned State and those of its international partners in re-establishing and upholding the soundness and legitimacy of the institutions.

Finally, strengthening the rule of law is something that every State must undertake. In September 2012, during the General Assembly High-level Meeting on the Rule of Law at the National and International Levels, Belgium undertook seventeen specific commitments; today most of them have been achieved. For example, we established predeployment training with training units on sexual violence and gender mainstreaming. As well, together with the Kingdom of the Netherlands and other countries, we brought together a number of States from all continents for a project for negotiating a multilateral treaty regarding extradition and judiciary proceedings for the national prosecution of the most serious international crimes, so as to facilitate in practice judicial cooperation between States undertaking investigations and the prosecution of such crimes.

The President: I now give the floor to the representative of Germany.

Mr. Thoms (Germany): I should like to thank the Lithuanian presidency for the preparation of this open debate and the Secretary-General for his instructive briefing.

At the outset we align ourselves with the statement made by the delegation of the European Union.

As a country that has experienced the disastrous consequences of disregarding the most basic rules and standards, Germany today strongly reaffirms its commitment to support all efforts to strengthen and promote the rule of law as an essential contribution to peace and security. Strengthening the rule of law is a priority in our foreign policy, both bilateral and multilateral. Within our conflict-prevention management activities we are currently providing rule-of-law assistance in a number of crisis and post-conflict situations around the world.

We welcome the growing awareness that the rule of law and peace and security are interconnected and mutually dependent. We also welcome the efforts of the Secretary-General to mainstream the rule of law in all areas of the work of the United Nations, and especially the growing focus of peacekeeping and political missions on strengthening institutions for the rule of law.

Germany pursues a holistic approach in its conflict prevention and management efforts. We apply an integrated set of measures of which efforts to strengthen the rule of law institutions are a key pillar. Let me just mention three important fields in this regard.

First, in close cooperation with Department of Peacekeeping Operations Office of the Rule of Law and Security Institutions, we support and promote the global exchange of experiences of United Nations experts in the area of the rule of law. In past years, our Centre for International Peace Operations and the United Nations System Staff College in partnership organized a dialogue series for deputy special representatives of the Secretary-General in United Nations peace operations and the focal point for the rule of law, and we are committed to continue our support in coming years.

Secondly, supporting United Nations policing is another key pillar of our engagement in the United Nations. An international police conference held in Berlin in October 2012 led to the establishment of the group of friends of United Nations police. As was rightly pointed out in the concept paper for this debate (S/2014/75, annex), we need to ensure the sustainability of our efforts in the area of the rule of law in peacekeeping missions. Rule-of-law institutions for training and support must be made more consistent with the development of standards and guidance through more systematic training of police officers and civilian experts in missions and through longer-term commitments of police-contributing countries to specialized areas of training. Germany stands ready to continue its support for the Office of the Rule of Law and Security Institutions in that endeavour.

Thirdly, we support the establishment of the global focal point for the rule of law, inter alia, with a seconded expert. We are confident that the appointment of the global focal point will contribute to the promotion of the rule of law by the United Nations through better and faster coordination. In addition, it should make our efforts in the area of the rule of law more sustainable by ensuring better transitions from peacekeeping missions to the United Nations country team in post-conflict situations.

Lastly, truth-finding efforts and the fight for accountability and against impunity are crucial for the establishment of lasting peace in post-conflict settings. They are fostered by the work undertaken by national and international justice mechanisms, especially the International Criminal Court.

Current crises such as in Mali, South Sudan and the Central African Republic have shown the importance of building rule-of-law institutions in crisis and post-conflict situations. Strengthening rule-of-law institutions should thus be at the centre of our efforts for peacebuilding and conflict prevention.

The President: I now give the floor to the representative of Estonia.

Mr. Kolga (Estonia): At the outset, let me also thank the Lithuanian presidency for the initiative of convening this timely open debate and for the comprehensive concept note (S/2014/75, annex). I should also like to thank the Secretary-General for his statement.

I give credit to the holding of open debates as a measure of greater transparency and for the inclusion of the broader United Nations membership in the issues discussed by the Council, and I recommend that every presidency follow suit.

Estonia fully aligns itself with the statement of the European Union. The longer version of our statement will be distributed.

The rule of law is a core principle of governance that ensures justice and fairness and in which all persons, as well as the State itself, are accountable to laws that are equally enforced and independently adjudicated. Adherence to the rule of law at home makes it more probable that we will also follow the principle in our interactions abroad. At the international level, the rule of law accords predictability and legitimacy to the actions of States and forms a fundamental framework for the conduct of relations among them.

The rule of law provides keys to conflict prevention. It is also an important element of peacekeeping, conflict resolution and peacebuilding. Following the rule of law and delivering justice builds public trust in national Government institutions, which is essential for developing a safe environment for us to live in. Moreover, the preventative nature of strong and consistent rule-of-law institutions helps to reduce the risk of further conflicts. Therefore, Estonia welcomes the approach of the Security Council in identifying the strengthening of rule-of-law institutions as an integral part of the United Nations mission mandates designated for the upkeep of peace and security.

Justice is necessary for sustainable development and security in any post-conflict society. Impunity provides fertile ground for the recurrence of conflicts and breeds instability. Consistent prosecution, either domestically or internationally, is a most effective tool to combat international crimes. I therefore welcome that the Secretary-General's report (S/2013/341) on the strengthening of the rule of law also reflects the important role of international criminal justice and emphasizes the necessity to cooperate with the International Criminal Court (ICC).

I should like to reiterate Estonia's call upon all countries that have not yet done so to join the Rome Statute system, and I would likewise urge States parties to join in the ratification of the Kampala amendments. The universality of international law and adherence by all to the same principles are essential to improving the world in which we live. In that regard, countries, whether they have joined the Rome Statute or not, must set an example of non-aggression, self-restraint and respect for the rule of law.

I commend the continued cooperation of the United Nations with the ICC, particularly in the provision of logistical support for field operations and the submission of documents to the Prosecutor and defence counsel. Nevertheless, we should continue to improve that relationship to enhance the legitimacy and success of the Court. In that regard, States parties, as well as non-States parties on the Security Council who contribute to referring situations to the ICC, should ensure that adequate cooperation is consistently provided to the ICC.

However, States must also acknowledge that it is first and foremost their responsibility to develop national capacities to investigate and prosecute serious international crimes. As the concept note for this open debate rightly describes, the development of national capacity should include a comprehensive legislative framework to ensure the investigation and prosecution of crimes and the incorporation of Rome Statute crimes into domestic criminal codes and should ensure robust witness protection programmes, so that those who are brave enough to come forward are safe enough to do so.

Estonia firmly believes that commitment to fighting impunity at all levels is the only way to deter those who might commit crimes in future. The enforcement of sentences of the respective international courts and tribunals is vital for international criminal law to have a deterrent effect. To help to sustain that effect and in coherence with the principles of rule of law, Estonia signed an agreement on the enforcement of sentences with the International Criminal Tribunal for the Former Yugoslavia, which allows persons convicted before the Tribunal to serve their sentences in prisons within Estonia. In the most recent example, just two weeks ago, on 10 February, a third person convicted of crimes against humanity and violations of the laws and customs of war committed in the former Yugoslavia was transferred to Estonia to serve his sentence.

Of course, it must be stressed that supporting and developing the rule of law is not just about international criminal law; it is about all sectors of national and international governance. To ensure the effectiveness of rule-of-law efforts they must be better coordinated at the international level. Estonia agrees, as also recognized by the High-Level Panel on the Post-2015 Development Agenda, that responsive institutions promoting the rule of law and access to justice are necessary for transformative shifts enabling development and for building peace and effective open and accountable institutions for all. We strongly believe that good governance, democracy and the rule of law must be emphasized in the future sustainable development agenda among the sustainable development goals.

Estonia also fully supports the initiative for rule-of-law pledges launched at the General Assembly's 2012 High-level Meeting by the Heads of State and Government. States should recognize their role and commitment to contribute towards reaching more inclusive, transparent and empowering societies in which everyone can enjoy human rights and in which men and women are treated equally. State and civil society partnerships and the inclusion of the private sector are more successful if we act in this systematic and coordinated manner.

Estonia has completed two out of our four pledges for ratifying the Kampala amendments to the Rome

Statute and the Optional Protocol to the Convention on the Rights of the Child.

The President: I now give the floor to the representative of Peru.

Mr. Meza-Cuadra Velásquez (Peru) (*spoke in Spanish*): We would also like to congratulate the Government of Lithuania for organizing the current debate, and we are thankful for the invitation to share Peru's point of view on this topic. It is one to which we attach great importance, because throughout its history Peru has been committed to promoting and strengthening the rule of law and to international peace and security, international law and the Charter of the United Nations.

Peru agrees with the approach taken in this open debate. In particular, we stress the need to exchange points of view on the obvious link between the rule of law and the maintenance of international peace and security. We believe that the exchange of post-conflict experiences, be they domestic or international, should be used to the fullest and taken into account so as to include aspects of the rule of law in the mandates for peacekeeping operations. With respect to the Secretary-General's report on measuring the effectiveness of the support provided by the United Nations system for the promotion of the rule of law in conflict and post-conflict situations (S/2013/341), there is a need to identify experts with specialized capabilities and knowledge who could participate in and also advise peacekeeping operations, as well as special political missions and the Peacebuilding Commission.

Peru, for example, has been able to overcome situations of internal conflict and violence. Today we live in peace domestically and internationally, and we are enjoying a prosperity new in our republican history. That is largely due to our commitment to the rule of law and to the capabilities that we have developed.

Peru is a country that has strengthened its democracy and its institutions, with an independent judicial system that respects and promotes human rights. We comply with our commitments, defend international law and invest in regional integration and conflict prevention. Hence, we have contributed to maintaining international, regional and national peace and security while advancing progress for our people.

Internationally, the mutual trust that Peru has built with its neighbours is based largely on its observance of international law and the promotion of trust.

Just three weeks ago the International Court of Justice issued a judgement establishing the maritime boundary between Peru and Chile. We are pleased to note that both Governments have been carrying out the judgement in a good-neighbourly spirit. With the peaceful settlement of the dispute, both countries have renewed their willingness to work together for the integration and progress of our peoples.

Another example of neighbourly integration based on the rule of law can be seen in the development on the border that Peru and Ecuador have been promoting since 1998. In that context, the coordinated work of the Peruvian and Ecuadorian armies for the humanitarian demining of the common border should be pointed out. The capacities generated have contributed to the recent establishment of a bi-national demining unit that both countries will make available to the United Nations.

Internally, our experience in fighting terrorism shows how violent situations can fortunately be overcome, thanks to the rule of law and the democratic and humanitarian values that that implies. Along those lines, Peru also points out the need to strengthen international cooperation to tackle the global drug problem and transnational organized crime, which undermine sustainable development and the rule of law.

I will conclude by stressing that the rule of law nationally and internationally is fundamental for the maintenance of international peace and security. Through the rule of law countries not only manage to overcome their conflicts but also gain the stability and social cohesion that sustainable development requires.

In reaffirming Peru's commitment to the rule of law, we point out the need for peacekeeping operations to contribute to promoting and strengthening the rule of law in order to overcome conflict and post-conflict situations and to produce the conditions that are conducive to sustainable development. In this spirit we reiterate our willingness to continue contributing to these operations, providing our experience and the capabilities we have developed in this area.

The President: I now give the floor to the representative of the Syrian Arab Republic.

Mr. Ja'afari (Syrian Arab Republic) (*spoke in Arabic*): The presidency's choice of this theme at this time is of the utmost importance, because the issue of the rule of law, particularly at the international level, has become a genuine concern to many States, especially developing States. The law has been neutralized — in spirit in most cases, and in letter in many cases — to serve interpretations in the interest of certain States and groups of States.

We are not trying to reinvent the wheel and start, regardless of the Charter's provisions, to lay down the bases of international relations and national commitments and their rules anew when we talk about the rule of law as a means to maintain international peace and security. Instead, we must evaluate what has been achieved and identify shortcomings in order to find the ways likely to deal with them, to establish the rule of law pursuant to the Charter's provisions and the values of our international organizations.

The rule of law is an indivisible whole. It is unreasonable and unacceptable to concentrate on the rule of law at the national level only and ignore it at the international level. Respect for the principles of international law and the provisions of the Charter of the United Nations is the cornerstone on which to establish the rule of law in general.

Furthermore, respect for the rule of law at the international level could create the necessary environment to achieve the rule of law at the national level. The rule of law at the international level can help to maintain international peace and security, for it helps prevent conflicts and contributes to active efforts to resolve whatever conflicts might break out before they become worse. The absence of the rule of law at the international level would open wide the door to foreign intervention in the affairs of States and to their destabilization. That has happened since the end of the Cold War, and unfortunately it continues to happen.

Experience has shown that the challenges to the rule of law at the international level have not resulted from a lack of international mechanisms or instruments. Rather, they have been caused by the selectivity and double-standards approach adopted by certain influential States in dealing with international law. Those States have attempted to impose their hegemony and unilateral decisions on other States, using flagrant interventionist methods, provoking trouble and sedition and threatening to use force or actually using it, devising pompous concepts that serve their interests while at the same time politicizing other concepts that are already established.

The crisis in my country, Syria, is clear evidence of the policies of flagrant intervention in the internal affairs of States and the endeavours to destabilize its security, stability, unity and territorial integrity through the actions of Governments of States — which have become known to all — to support, fund and arm extremist terrorist elements and foreign mercenaries and send them to Syria to ravage, terror and devastate.

Is the reason behind that behaviour the alleged concern by those States for the rule of law? Is the targeting of national law enforcement institutions — police stations, courts and civil archives and real estate records— the work of those who are concerned for the rule of law? On the other hand, can we consider as implementation of the rule of law the unilateral coercive measures imposed by some States Members of this Organization against my country, which have negative effects on the livelihood of Syrians and deprive them of the basic daily needs of life? Can we consider the continuing Israeli occupation of the occupied Syrian Golan and other Arab occupied lands — for decades now — or their continuing violation of human rights and international humanitarian law to be implementation of the rule of law?

The answer to such questions is clear and does not call for any interpretation or explanation: those acts are a flagrant violation of the most fundamental principles of international law, the Charter of the United Nations, the principles of friendly relations among States and the international instruments on counter-terrorism.

The fundamental objective behind enacting laws, signing of treaties and adopting United Nations resolutions on counter-terrorism is to ensure commitment from the very outset to preventing the spread of terrorism and combating its existing forms. However, some Member States in this very Council and outside it have closed their eyes and ears to our repeated calls — for more than two years — in our statements and through hundreds of formal letters, for the United Nations to shoulder its responsibilities in confronting the terrorist threat facing Syria, as a State and as a people.

This is a terrorist menace that threatens security and stability in the region and in the world. Those Member States have turned a blind eye to the need to ensure the rule of law through their failure to hold accountable the Governments of Member States that support such terrorism with money, weapons and disgusting extremist Takfirist fatwas. The danger of terrorism in Syria has been heightened and its impact has become a threat to peace and security in other States, including Kyrgyzstan, which announced few days ago the arrest of a network of terrorists returning from Syria who had been plotting terrorist acts in the country.

After all that, some States very belatedly have begun to take measures to address their failure to commit to the international instruments on counter-terrorism, such as stripping citizenship from those of their citizens involved in terrorist acts in Syria and preventing them from returning to their home countries, as if they are saying to them — to those terrorists — "continue fighting in Syria until you are killed or until whomever sent you to Syria moves you to another State whose stability and security are to be destabilized".

As for those States that export terrorism and blind extremist ideology — with Saudi Arabia at the forefront — following the exposure of their role in supporting terrorism, they have attempted to improve their image with regard to international public opinion by adopting sham legislation, threatening to prosecute terrorists returning from Syria but not those who are being sent to it.

Nevertheless, can any reasonable person believe that the Saudi regime and its intelligence apparatus were not aware that thousands of Saudi extremists had joined what they call "the holy war in Syria" with the blessing of the promoters of the Takfirist fatwas and direct incitement from the Saudi regime's Foreign Minister?

We have heard recently, following the killing of thousands and of innocent Syrians, many statements by Ministers for Foreign Affairs and security affairs in many Member States warning against the danger of terrorists active in Syria. In that context, the Director of National Intelligence in the United States, James Clapper, confirmed that 20,000 to 26,000 extremists are working in the terrorist armed groups active in Syria, including 7,500 foreign terrorists from 50 countries, including some former elements from Al-Qaida who had participated in wars in Afghanistan and Pakistan and are looking forward to attacking Europe and the United States.

The Kuwaiti Member of Parliament Nabeel Al-Fadl also stated recently that his country for two decades had suffered from the loss of its sons in Afghanistan and Chechnya, after instigators managed to mislead and send them to fight under so-called legitimate justification. He added that Kuwait continued to receive the bodies of its dead sons who were sent with the same misleading fatwas to Syria. His colleague Saleh Ashour warned that no less than 20,000 Gulf and Arab fighters had decided to move to Kuwait completing their terrorist actitivies in Syria, stressing that changes on the ground in Syria were rapidly evolving, forcing many non-Syrians to exit the struggle there.

That is all a drop in the bucket. Instead of hearing about efforts to promote the rule of law — the subject of this meeting — and to coordinate efforts to combat terrorism, the United States media informs us of a secret meeting held in Washington, D.C., recently that included heads of Arab and Western intelligence organs, including members from this Council, to provide military support to the so-called Syrian opposition, in a clear breach of the rules of international law and its principles.

In conclusion, my country, Syria, stresses its support for efforts aimed at promoting the rule of law internationally and nationally, and underscores that providing assistance to achieve that objective necessarily requires that we abstain from turning the issue into a pretext to to interfere in the internal affairs of States or undermine its sovereignty.

The President: I now give the floor to the representative of Mexico.

Mr. Montaño (Mexico) (*spoke in Spanish*): Mexico would like to thank the delegation of Lithuania for convening this important debate. We would also like to thank the Secretary-General for his briefing, which reflects the commitment to support the efforts of the United Nations to promote the rule of law.

In the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1), we see that the rule of law is a key to the development of the pillars on which the work of the United Nations is based — international peace and security, human rights and development. Mexico supports the principle that the rule of law should be a sine qua non in the post-2015 development agenda. The rule of law and development are very closely linked and mutually strengthen each other. We believe that progress in the rule of law is crucial for sustained economic growth, as well as for the eradication of poverty and the fulfilment of all fundamental freedoms, including the right to development.

It is crucial for the decisions of the Security Council to respect and strengthen the principles of the rule of law in order to guarantee legitimacy for their actions, and also, of course, for the Security Council to comply with international law.

Our Constitution states that respect for international instruments is essential to preventing conflicts. Although the Security Council has made progress in this area, it has yet to ensure that the actions that it decides upon must be undertaken based on international law in every way.

The peaceful settlement of disputes is part of our history and diplomatic currency. Mexico has resorted several times to the means provided for in Article 33 of the Charter of the United Nations as a party to arbitration proceedings or trials by international tribunals, as a friendly activist on behalf of and promoter of such mechanisms for the peaceful settlement of conflicts in the Latin American and the Caribbean region and in the defence of its citizens' rights.

The Declaration of the High-level Meeting also recognizes the contribution of the decisions of the International Court of Justice regarding disputes between States and the value of the Court's promotion of the rule of law. We reaffirm States' obligations to comply with the Court's decisions in cases in which they are involved. We therefore also urge those that have not already done so to consider accepting the jurisdiction of the Court in accordance with its Statute. Mexico calls on States that have expressed non-technical reservations to the jurisdiction of the International Court of Justice to consider withdrawing such reservations as soon as possible.

The permanent members of the Security Council have a special responsibility in the maintenance of international peace and security. Therefore, their acceptance of the Court's compulsory jurisdiction would encourage other States to follow that example and to comply with international norms on the rule of law. A key issue is the role the Council should play in complying with the Court's rulings. Non-compliance with the Court's rulings has occurred in the past and could occur in the future. Mexico reiterates that non-compliance with the rulings and decisions of the Court is in direct contravention of international law. It is clear that, in cases of non-compliance, Article 94, paragraph 2, of the Charter of the United Nations sets out the process to be followed in such cases. We would recall that the States involved in a dispute before the Court can resort to that option or request the Secretary-General to employ his good offices to facilitate and ensure the implementation of a ruling.

As the very insightful report of the Secretary-General states, the promotion and strengthening of rule-of-law mandates and their impact have an intrinsic connection to the work of maintaining and consolidating international peace and security as laid out by the Security Council.

Mexico welcomes the decision to appoint a global focal point responsible for issues concerning the police, justice and prison systems in the context of the rule of law in post-conflict situations and other crisis situations. We also welcome the proposal by the Secretary-General to develop a series of assessment principles to enable measuring the impact of the support provided by the Organization to Member States. We are at a unique juncture, where Member States can continue to promote the rule of law, consolidate peace and justice and put an end impunity. We must not waste the opportunity afforded to us.

The President: I now give the floor to the representative of Costa Rica.

Mr. Weisleder (Costa Rica) (*spoke in Spanish*): Costa Rica thanks the presidency of the Council for having organized this debate.

My delegation recognizes the Security Council's key role in promoting and strengthening the rule of law in the maintenance of international peace and security. Since the Secretary-General made recommendations to the Council in his report contained in document S/2004/616 to include the issue of the rule of law in its resolutions and mandates, the Council has demonstrated and reiterated its commitment to the establishment and strengthening of the rule of law in conflict and post-conflict situations. That has been clear in its inclusion, in resolutions on peacekeeping, of issues such as security for civilians, institutional reforms and greater respect for human rights. Moreover, since the rule of law was established as an agenda item, in 2003, almost all peacekeeping operations have included rule-of-law and human rights components. But how can we get peacekeeping operations to effectively support and strengthen the rule of law in the host country in a sustainable manner? That poses a significant challenge.

To achieve true peace, our interventions must adopt a holistic and coherent approach that is focused on people and takes into account the issues of security, justice, human rights, the rule of law and, of course, development. Costa Rica believes that, in addition to including those elements in the mandates of peacekeeping operations, the United Nations must take the necessary follow-up measures to ensure compliance with those elements, starting with mission officials, who have the responsibility to respect the law and the rights of the people whome they are charged with protecting.

In that respect, we welcome the Secretary-General's decision to implement a "Delivering as one" approach by assigning the responsibility of aligning and monitoring strategies for the rule of law, resolving potential political obstacles to its implementation and coordinating on-site assistance to some of the most experienced United Nations administrators in the field. We also welcome the designation of the Department of Peacekeeping Operations and the United Nations Development Programme as the global focal point on police, justice and prison systems in post-conflict situations.

My delegation believes it is crucial for missions to work in close coordination and collaboration with national authorities from the very beginning of their mandates, thus promoting national ownership and the national identity of the peace process. We should not forget that one of the main objectives of such missions is strengthening national capacities in order to lay the foundations for a successful transition and conclusion of the operation's mandate. Without that, the mission's work will not be sustainable over time.

Costa Rica believes that, with that support, missions can play an important role in building the necessary national capacity to comply with the responsibility to protect. In particular, they can improve operational links between the responsibility to protect and the prevention of atrocities within the structures responsible for promoting human rights, the rule of law, prevention and mediation and the protection of civilians, among others.

Experience has shown that there cannot be lasting peace without justice. To fully exercise its responsibility for the "maintenance of international peace and security", the Security Council has a duty to promote the full realization of international justice. Its role is crucial when it comes to bringing justice to the victims of the worst crimes against humanity, as impunity for such crimes should never be an option.

The Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1), of 24 September 2012, clearly states that accountability is an integral part of the rule of law and that impunity will not be tolerated in cases of genocide, war crimes, crimes against humanity, violations of international humanitarian law and systematic violations of human rights law. Such violations will be investigated and punished, in the first instance through domestic mechanisms but, if necessary, using regional or international mechanisms pursuant to international law. That is consistent with the presidential statement (S/PRST/2012/1) adopted by the Council at its most recent open debate on the rule of law (see S/PV.6705), on 19 January 2012, in which the Council reiterates its opposition to impunity for serious violations of international humanitarian and human rights law.

A crucially important part of the Council's work in maintaining international peace and security and in the fight against impunity is its power and responsibility to refer situations to the International Criminal Court, pursuant to article 13 of the Rome Statute. Such action can be undertaken while peacekeeping operations are deployed.

In that regard and with reference to what is perhaps the most serious humanitarian situation at this time, we call once again for the Security Council to take the necessary measures to protect the civilian population in Syria by referring the situation in that country to the International Criminal Court, as it was urged to do by Switzerland and 57 other States, including Costa Rica, in the note sent to the Council on 14 January 2013.

Furthermore, we underscore the proposal presented by the Group of Five Small Nations requesting that the permanent members of the Security Council commit to refraining from using the veto on draft resolutions that address atrocity crimes.

Let us not forget that it is equally important for there to be due follow-up to referrals once made. The Council should take the actions needed to enforce the decisions of the Court, in particular its arrest warrants.

In that regard, we recall the presidential statement of 2008 (S/PRST/2008/21) that called on officials of the Sudanese Government to comply with arrest warrants against them, so that the legal proceedings under way against them could proceed.

In the debate organized by Guatemala on 17 October 2012 on cooperation between the Council and the International Criminal Court (see S/PV.6849), more than 50 States made suggestions to the Council. On 20 November 2012, together with Liechtenstein and Jordan, we sent a note formally proposing the establishment of a subsidiary body to deal systematically with issues related to the relationship between the Council and the International Criminal Court and the extension of the mandate of the informal working group. That proposal remains valid.

Another recent topic of the utmost importance relating to United Nations missions is that of the authorization of the use of force. Although both cases were in response to calls from African countries, which enhances their legitimacy, if the trend of deploying peacekeepers with more robust mandates continues, it will be necessary to work on a new definition of the limits of such mandates.

In conclusion, my delegation would like to state that it agrees with the report of the Secretary-General on the importance of an independent and robust monitoring and evaluation system for peacekeeping operations. That would undoubtedly enhance the design and implementation of operations.

The President: I now give the floor to the representative of Croatia.

Mr. Drobnjak (Croatia): Croatia joins others in welcoming Lithuania's initiative to hold an open debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security. It is a well-chosen topic, whose importance is growing day by day. I would also like to express my sincere appreciation to the Secretary-General for his report (S/2013/341) and for his comprehensive briefing today.

Croatia aligns itself with the statement delivered on behalf of the European Union. I would like to add the following remarks in my national capacity.

The rule of law constitutes the very essence of the social contract between individuals and the Government, under which citizens are granted transparency, non-discrimination, fairness and equality in their standing before the law and in their social interactions. Competent, credible, efficient, responsible and legitimate institutions are the guarantors of those principles and serve as providers of confidence, which allows individuals and communities to resolve their disputes peacefully.

The lack of good governance and the rule of law, on the other hand, often lies at the root of conflicts. Therefore, as noted in the Secretary-General's report, strong, inclusive and accountable institutions that demonstrate the equitable application of the rule of law are crucial for conflict prevention and peacebuilding.

Croatia recognizes the paramount importance of the rule of law in conflict prevention, peacekeeping and post-conflict peacebuilding. It is equally important for achieving lasting peace and for sustainable development in all its aspects. The functional and efficient rule of law is as much an issue of security and stability as one of economic and democratic development.

The rule of law has tremendous transformative power and should be regarded as an essential instrument for positive change. Simply put, it is the best investment in a prosperous future.

Re-establishing, strengthening and reforming judicial and legal systems and law enforcement institutions, which provide a legal framework that will stimulate the economy and safeguard democracy, is a long-term process that requires not only political determination, but also human and material resources, skills and knowledge. The metaphor of growing an oak tree seems appropriate: it takes time, patience, determination and a lot of care, but with every year the roots get deeper and the canopy wider, until the tree becomes strong enough to withstand any storm. Nonetheless, the early growing years are of decisive importance.

We welcome the multidimensional approach to peacekeeping and peacebuilding, which places equal emphasis on security sector reform, institution-building, the protection of human rights, the restoration of the social fabric of a country, the rejuvenation of the economy and the protection of natural resources. In all of those aspects, the rule of law plays a crucial and indispensable role.

Against that backdrop, Croatia advocates for devoting particular attention to rebuilding national civilian capacities and institutions, while recognizing the specific needs of each country and fully respecting the principle of national ownership. We strongly support the Civilian Capacities Initiative. Broadening and deepening civilian capacity pools significantly enhances the ability of peacekeeping operations to achieve their goals.

Promoting the principle of the rule of law is also a central part of the work of the Peacebuilding Commission. Croatia, as a current Vice-Chair of the Peacebuilding Commission, stands ready to do its part in supporting countries emerging from conflict in their efforts towards sustainable peace and development. We are willing to share our empirical knowledge and expertise in that field.

Accountability is an important aspect of the principle of the rule of law. We see the fight against impunity for war crimes, crimes against humanity and genocide as an important element in conflict prevention. Such crimes must not go unpunished and their effective prosecution has to be ensured. It is of the utmost importance to put an end to the culture of impunity.

We highly value the contributions of international courts and tribunals in advancing the rule of law at the international and national levels. The ad hoc tribunals have profoundly changed the landscape of international criminal justice and paved the way for the International Criminal Court, whose work we strongly advocate.

We would also like to underline once again the important role that women can play in conflict prevention and resolution and in peacebuilding. It is crucial to put in place gender-responsive transitional justice measures as a key element in the process of restoring the rule of law and governance systems in any conflict-affected situation. Putting a country back on its feet is a remarkable opportunity to strengthen women's rights, leadership and empowerment. In that regard, the appropriate legal framework is a vital instrument.

Finally, let me conclude by saying that without peace and the rule of law there can be no true development. The rule of law is the very essence and bedrock of any democratic and successful society. That must be kept in mind when contemplating each and every peacekeeping and peacebuilding strategy.

The President: I now give the floor to the representative of the Republic of Moldova.

Mr. Lupan (Republic of Moldova): As this is my first opportunity to speak in the Security Council this year, I would like to congratulate Lithuania on it having being elected to serve on this body and to express our appreciation for the organization of this important debate in a format in which we all can contribute.

I also wish to thank the Secretary-General for the report before us today (S/2013/341) and for his strong commitment to strengthening and mainstreaming United Nations support for the rule of law in all areas of its activities, in this particular instance in the maintenance of international peace and security, including in peacekeeping operations. I would also like to commend the increased United Nations attention to the rule of law and justice through high-level meetings on the topic, during discussions in the General Assembly and the Security Council and in consultations on the connection between the rule of law and conflict prevention and post-conflict peacebuilding and on the sustainable development goals, as well as in various other activities in the United Nations system. The recent changes in many parts of the world and the new threats and challenges to international peace and security further strengthen the idea that all aspects of the rule of law, ranging from citizen security to respect for the rights and freedoms of the people, should be ever present on the United Nations agenda.

The Republic of Moldova aligns itself with the statement of the European Union, delivered earlier today.

During open debates on the sustainable development goals, the rule of law and conflict prevention and post-conflict peacebuilding, we have already drawn attention to the fact that one aspect of the process is often overlooked — the need to promote and strengthen the rule of law in areas affected by protracted conflicts, which has not been adequately addressed in previous debates. Nevertheless, that, too, requires our full attention, and I will mention it further on in my statement.

The security environment in our world is constantly changing and the proliferation and diversification of the risks and threats are an ongoing cause of concern. Issues such as international terrorism, good governance, internal conflicts and cybersecurity are being discussed by the international community more than before. Hence, respect for the rule of law at the international and national levels remains as important as ever.

From the international point of view, the principles of sovereignty, territorial integrity and non-interference in the internal affairs of a State remain valid and pertinent. My country's experience is clear proof of that.

As I have already stated, we align ourselves with the statement of the European Union, in which today's main hotspots at the international level were mentioned. The Government of the Republic of Moldova is also watching, and continues to follow with deep concern, the situation in Ukraine. We are extremely saddened by the loss of life there. Our sincere sympathy goes to the relatives of the deceased, along with our wishes to the injured for their speedy recovery. The Government further urges the parties to refrain from violent actions, to defuse the situation and to establish an open dialogue that leads to reconciliation and identifies ways to overcome the political crisis. All differences in that neighbouring and friendly country are critical to the stability of the region as a whole. We are therefore watching for a way to solve those differences to be found exclusively by peaceful means, in accordance with democratic norms, as violence is never a solution.

Returning to the matter of the rule of law at the national level, from our perspective, the rule of law has several implications, one of which is that it is a precondition for better development. We believe that the security of the State starts from the security of the citizen. In a State governed by the rule of law, people need to at least have a judicial system as a guarantor of their security. A State that genuinely strives for the rule of law creates greater trust among the population, even in conflict-affected areas, as well as in the conflict resolution process. Moreover, we can do more to uphold international law through our national systems by the effective implementation of the international conventions upon which we have agreed.

We should also acknowledge the need for a framework of institutions aimed at supporting international law and peace and security. Peacekeeping therefore remains an important mechanism in assisting countries through the difficult transition from conflict to peace and is a collective effort supported by us all. In that regard, Moldova contributes to the United Nations and NATO peacekeeping efforts in Kosovo with a military contingent. That means that every country can contribute to such a process. That is an important message for us all.

Let me also refer to the situation in my own country, the Republic of Moldova, which has continued to be affected by the unresolved Transnistria conflict for more than 20 years. A peacekeeping mechanism to deal, inter alia, with incidents in the conflict zone was created after the cessation of military hostilities in 1992. But today, the incidents that we are dealing with in the former conflict zone are no longer related to military security. They are usually breaches of public order. In that context, we believe that a civilian peacekeeping mission that meets United Nations principles and standards, in line with the rule of law concept for the purposes of durable and just peace and security, would be much more relevant.

Not to overlook a more grassroots level, one should mention that confidence-building measures (CBMs) are also very important, in particular in conflict prevention and often in peacekeeping efforts. By way of example, a number of CBMs are being implemented in our country, the Republic of Moldova, as part of the Transnistria conflict resolution process. CBM programmes in the case of Moldova cover matters related to rebuilding and reconnecting infrastructure, freedom of movement, education, ecology and socioeconomic activities. Such CBMs will also be essential for post-conflict rehabilitation and reconstruction and are again valid for many other conflict resolution processes.

Another element that is increasingly linked to the rule of law is security sector reform, along with the potential post-conflict disarmament, demobilization and reintegration of military and paramilitary elements, whose successful reintegration may, in some cases be closely related to the sustainability of the peace. Such topics can and should be the focus of both the Government and the United Nations or United Nations-mandated organizations, since regional cooperation is also important in that context, as I have already said.

We should also mention the important role of both national contributions to rule of law efforts and to the justice institutions that we support. The Republic of Moldova has been present, with our lawyers and judges, at the highest level in Timor-Leste, Bosnia and Herzegovina and Kosovo. At the same time, we have demonstrated our clear support for the International Court of Justice in the peaceful settlement of disputes and, in our capacity as a State party to the Rome Statute, for the importance and increased role of the International Criminal Court, which complements national jurisdictions in fighting impunity for the crimes of genocide, crimes against humanity and war crimes in conflict and post-conflict situations.

As such examples show, we remain deeply committed to our general aim of upholding and developing an international order based on the rule of law, where international law, including human rights, is fully respected and implemented and where accountability is important for maintaining a sense of responsibility for all. Hence, either through national participation or international support, every State has an opportunity to contribute to the rule of law and international peace and security, as I mentioned earlier.

With regard to human rights, which my delegation mentioned earlier in the context of conflict resolution efforts, we would recall that, among many factors, it is also important to have free, independent, pluralistic and responsible media. In a globalized world, such media could serve as a window for dialogue, peace and reconciliation, as well as a conduit for a correct or balanced understanding of development and conflict resolution matters. Concerning the situation concerning the freedom of the media in the Transnistrian region of the Republic of Moldova, we must acknowledge that media outlets in that region are fully controlled by or experience significant pressure from the administrating authorities there, and that is not a positive factor in the overall context of conflict resolution anywhere.

We will probably again sound similar to our European Union colleague, who spoke in October 2013 at a meeting of the Sixth Committee of the General Assembly regarding agenda item 85, when we say that the rule of law presumes full respect for human rights, which, our own experience shows, is particularly important for societies in conflict areas.

The "Rights up front" initiative, recently launched at the United Nations, designates human rights violations as indictors of potential conflict and ongoing violations of human rights in conflict areas as conflict aggravators. In that respect, the need for the United Nations to monitor human rights situations has been stressed, along with the idea that promoting respect for human rights may reduce existing problems in conflict areas.

In that context, we again invoke the example of my country, where the unfortunate reality is that we have a conflict situation. United Nations expert Thomas Hammarberg, former Human Rights Commissioner of the Council of Europe, conducted, at the request of the Moldovan Government, a human rights survey in 2012 in that conflict area, where, unfortunately, the human rights situation, in particular with regard to children's right to education, has worsened. The need to respect human rights, given our concrete experience in the Transnistrian region of the Republic of Moldova, raises another valid point, namely, that respect for human rights is essential from the view of both the humanitarian perspective and conflict resolution as a whole.

That is in line with an idea already voiced in the Council, namely, that the promotion of the rule of law and universal human rights constitute fundamental requirements for achieving sustainable peace. In that regard, we commend the Security Council for its increasing attention to the promotion of justice and the rule of law in the context of sustainable peace and security.

While the rule of law presumes respect for human rights and freedoms, it is also important for the purposes of conflict resolution to understand that the involvement of various State and non-State actors in mediation, conflict resolution and development efforts has to take into account the fact that a conflict is in itself an extremely sensitive situation, and hence needs a coordinated approach.

In conclusion, I refer once again to the High-level Meeting on the Rule of Law at the National and International Levels and the Declaration unanimously adopted by all Member States (General Assembly resolution 67/1), which strengthens the links between the rule of law and the three pillars of the United Nations, that is, peace and security, sustainable development and human rights. The Republic of Moldova remains directly interested and committed to continuing to actively participate in all efforts aimed at promoting and strengthening the rule of law at the international and national levels for the purpose of ensuring peace and security.

The President: I now give the floor to the representative of Uruguay.

Mrs. Carrión (Uruguay) (*spoke in Spanish*): We join others in thanking your country, Madam President, for convening this important and timely open debate. My country understands that peace and security must be viewed in a framework in which both concepts and their meanings are considered from the point of view of the rule of law.

All here present have in mind the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels, adopted on 24 September 2012 (General Assembly resolution 67/1). We also recall the intensive negotiations during the year to ensure that all Member States achieved consensus on the text of the Declaration.

Even in those cases where the international community is unable to resolve conflicts between or within countries, a legal framework is needed to enable such societies to go on to develop and become viable. We believe that that can be achieved only when laws are fully enforced, with a separation of powers and the presence of State authority throughout the national territory.

In that respect, we consider peace and security and the rule of law to be fully complementary and mutually reinforcing values. We believe that, in the twenty-first century, it is not possible to discuss peace and security without referring to the rule of law, both nationally and internationally.

The recognition of the rule of law at the national and international levels is of paramount importance to the promotion of political dialogue, the peaceful resolution of conflicts and international cooperation, concepts that strengthen the three pillars on which United Nations efforts are based, namely, peace and security, human rights and development.

My delegation notes with satisfaction that 18 of the 28 Security Council missions have a mandate to strengthen rule-of-law institutions. We believe that, while each mission relates to a different reality, all mandates should include rule-of-law principles and aim at the weakest points indicated in each case.

That is clearly insufficient in and of itself for achieving peace, but we must strengthen efforts towards peace. If we agree on the benefits provided by the rule of law to the international community and today's society, it would also be desirable for national and international justice systems to prosecute those responsible for massacres and killings around the world, which may be the result of the use of conventional weapons or, even worse, of the use of weapons banned by international law.

In that regard, although our country — as is well-known — opposes the use of the veto, we urge the permanent members of the Security Council to refrain from the use of the veto, especially in cases of war crimes, crimes against humanity, genocide and mass atrocities.

To conclude, my delegation believes that, beyond the inclusion of the rule of law and its various facets as the objective of missions mandated by the Security Council, it is essential to create the necessary conditions in countries that are, unfortunately, plagued by violence and disregard for human rights so that, through the implementation of national and international law, including humanitarian and human rights law, societies can finally advance towards improved development in peaceful and secure conditions.

The President: I now give the floor to the representative of Ecuador.

Mr. Lasso Mendoza (Ecuador) (*spoke in Spanish*): It is a special pleasure for my country to participate in this open debate organized by the presidency of the Security Council under the leadership of the representative of Lithuania, whom we thank for this opportunity.

My country firmly believes that the existence of a set of common values and principles forms the basis of harmonious coexistence. Under those premises, we consider the rule of law as a pillar of governance and of peaceful coexistence among citizens and nations. That is why we defend the equality of citizens before the law and the sovereign equality of States as set forth in the Charter of the United Nations. We believe that a strong State with effective institutions is crucial in order to promote the development of a country, not only guaranteeing security for its citizens and ensuring respect for sovereignty but also preventing abuses by certain economic parties to the detriment of the majority of the population. We reiterate our traditional commitment to the rule of law at both the national and the international levels, two areas that are equally important and complementary. There can be no progress if one of them is ignored.

We feel that it is also crucial to establish the root causes of conflicts, and we reject any effort to link them to poverty, perversely imputing responsibility to poor countries, forgetting the fact that those who manufacture weapons in industrialized countries are part of the problem and that they aggravate the problem through their financial and logistical support as well as with the shipment of weapons of all calibres to groups of combatants. Looking for the roots of conflicts solely in internal factors is absurd and hypocritical, because it seeks to avoid recognizing that the use of force without express authorization by the Security Council is one of the main sources of conflicts in the world.

My delegation believes that it is essential to make a very clear distinction between violence and conflict situations, as was pointed out clearly by the delegations of Brazil and Nicaragua during the debate on sustainable development goals. While violence can be the result of individual actions without any connection to international relations, conflicts and wars can be the result of political decisions— which implies that different types of response are required to the two situations. While conflicts and wars can be tackled through collective actions, strictly based on the provisions of the Charter of the United Nations, violence is a matter that comes under the purview of the authorities of each country and is subject to national legislation.

Consequently, the maintenance of international peace and security necessarily involves strengthening regional support for democracy. By strengthening the sovereign decisions of peoples and their legitimately constituted Governments, the possibility of violence is diminished. In that regard, I should point out the existence of the democracy clause agreed to by the Heads of State of the Union of South American Nations, which seeks to guarantee democracy in the region.

My delegation continues to attach particular importance to the development of the rule of law at the international level. In that respect, we have the utmost faith in the work done by the General Assembly, the role of which cannot be and should not be replaced by committees of eminent individuals or by international forums outside the General Assembly, which is the highest legislative body of the Organization and the only international forum with sufficient authority to lead the process of development and strengthen the rule of law. In accordance with that value, we cannot accept that officials of the Secretariat might claim to be supervisors of the implementation of the rule of law at the national level, nor can we accept the establishment of a single model that would be imposed on the entire world or the linking of compliance with the supposed parameters of the rule of law to international assistance for the development of poor countries.

We believe it is crucial to promote the reform of the Security Council, an organ with an outdated structure that maintains unacceptable privileges for certain States to the detriment of others. We must conclude negotiations on the matter and proceed to Security Council reform, thereby making the actions of that body more democratic and transparent.

My country vigorously rejects the extraterritorial application of national laws, spying on Heads of State or Government, the application of unilateral measures, the practice of selective assassinations, as well as the use or the threat of the use of force without express authorization from the Security Council.

For Ecuador, the gradual universalization of the Rome Statute of the International Criminal Court is a huge step in favour of the rule of law at the international level.

The President: I now give the floor to the representative of Georgia.

Mr. Makharoblishvili (Georgia): At the outset, Madam President, let me express our gratitude to the presidency of the Republic of Lithuania for organizing today's open debate, and personally to His Excellency Mr. Linas Linkevičius, Minister for Foreign Affairs of the Republic of Lithuania, for his statement, which has significantly contributed to the constructive and comprehensive nature of our deliberations today.

Georgia fully associates itself with the statement made by the observer of the European Union earlier today. In addition, I would like to make some comments in my national capacity.

We consider regular open debates on the rule of law in the Security Council an essential part of the United Nations work to advance and strengthen the unique role of the Organization, as recognized by the States Members of the United Nations in the Declaration of the High-Level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1), adopted on 24 September 2012.

As that Declaration so rightly underlines, the rule of law is of fundamental importance for strengthening the three main pillars upon which the United Nations is built — international peace and security, human rights and development. The rule of law is indeed a key element of conflict prevention, peacekeeping, conflict resolution and peacebuilding, with justice as a critical element for achieving peace and security in countries in conflict and post-conflict situations. In that regard, we fully share the position of the European Union, which supports an effective and efficient interplay between national justice systems and the International Criminal Court in the fight against impunity, in accordance with the principles enshrined in the Rome Statute.

In that connection, my Government has been working to adapt Georgian legislation to the best international standards and intends to further its work in that direction. Georgia is party to the Rome Statute of the International Criminal Court, and the Parliament of Georgia has adopted a law on cooperation with the Court.

We would also like to stress that strengthening the rule of law, as a long-term process, presupposes the sovereign right and primary responsibility of the country concerned to determine its national approach and priorities. We fully share the view expressed in the presidency's concept note for today's debate (S/2014/75, annex) that it should be a nationally owned process rooted in the particular needs and conditions, culture and traditions of the country in question. The successful coordination of efforts to promote the rule of law must be based on national consensus and driven by political leadership and political will.

With that in mind, we welcome the attribution of the strategic leadership role on the matter to the Rule of Law Coordination and Resource Group, and we support its greater engagement with Member States and other key rule-of-law actors, including regional organizations, with the aim of continuing to enhance policy coherence within the United Nations system.

Reiterating that a holistic and coherent United Nations approach to security sector reform is vital, Georgia supports the development of a comprehensive United Nations strategy on the rule of law, taking into account its multidisciplinary nature. As one of the important elements, close thematic links to security sector reform should be further studied and reflected in our work on the rule-of-law strategy. Georgia is ready to work closely with the Rule of Law Coordination and Resource Group, as well as with the Department of Peacekeeping Operations and the United Nations Development Programme, which serve as the joint global focal point for the police, justice and corrections areas in the promotion of the rule of law in post-conflict and other crisis situations, with the aim of equipping the Organization with common principles and high standards, a system-wide approach, the requisite resources and, in some cases, with the capacities to deliver efficient support to national authorities.

We believe that the United Nations strategy on the rule of law should be developed in close cooperation with all stakeholders, including individual Member States and regional organizations. That would be useful for sharing experience and developing practical guidelines to be encompassed by the strategy and would represent a good platform for the provision of adequate human resources and expertise as needed to support States in conflict and post-conflict situations.

In our view, the process should also include the development of a strategy for evaluating the concept of the rule of law. We fully agree with the recommendation of the Secretary-General contained in his report of 11 June 2013 (S/2013/341) that such a strategy should be a goal of the United Nations system, supported by Member States.

In the meantime, we share the concern expressed by the Secretary-General that, although a culture of measurement is gradually taking root in the United Nations, it still falls short of providing systematic baseline data on the rule of law. We are mindful of the significant challenges that exist in measuring and evaluating the impact of rule-of-law activities, as reliable rule-of-law data continue not to be available owing to the lack of access in many conflict-affected countries. We would support drawing up additional measures to cover such shortcomings in data collection, which are often caused by a lack of political will on the part of the actors in control of conflict areas. Such measures should be in line with and reinforce the capacities of United Nations field missions in their efforts to support national data collection and analysis.

The President: I now give the floor to the representative of New Zealand.

Mr. McLay (New Zealand): New Zealand welcomes the commitment to the rule of law shown by the Security Council and thanks Lithuania for convening this very important debate.

We now have a substantive body of Council resolutions, presidential statements and mandates emphasizing the importance of the rule of law as a key element in conflict prevention, peacekeeping, conflict resolution and peacebuilding. The real challenge for the Council, and for the broader United Nations membership, lies in the substantive, effective and timely implementation of those principles. And that challenge is stark.

For New Zealand, it is no longer acceptable to confine such discussions to an abstract legal principle. We must focus on the practical actions of the Council and the impact of those actions on creating and sustaining international peace and security. In that regard, we recall that a major theme from last month's open debate on "War, its lessons, and the search for permanent peace" (see S/PV.7105) was the importance of building a genuine rule-of-law environment for sustainable peace.

It is New Zealand's view that the rule of law must be a core priority in all mission planning. The initial phases of planning all peacekeeping operations must include effective early peacebuilding initiatives, not least by mainstreaming rule-of-law activities. New Zealand urges an integrated, flexible and mobile approach, supported by personnel capable of carrying out the functions required by very complex missions.

Through our participation in peacebuilding activities in our own region, New Zealand has learned that an early focus on building effective and accountable rule-of-law institutions is central to success. It helps shift power from those who might gain from conflict to those who would uphold good governance and the rule of law.

Strengthening rule-of-law institutions also requires a long-term focus. Fundamental change, such as building the capacity of genuinely independent legal institutions and staff, moving law reform forward and strengthening engagement with traditional justice systems, requires a commitment lasting decades rather than just months. It is therefore vital that the Council provide the strategic direction and oversight that is needed to ensure that efforts are coordinated and sequenced, and are adapted to the context. In that respect, New Zealand welcomes recent coordination efforts between the Department of Peacekeeping Operations and the United Nations Development Programme; plans by the Rule of Law Coordination and Resource Group to increase cooperation and coordination; and the Secretary-General's suggestion that the Council consider mandating rule-of-law evaluation capacity in all of its missions. Such efforts will help the United Nations to focus on activities that have the greatest actual impact.

To be effective, efforts to strengthen the rule of law must be tailored to the culture and traditions of the host country. In our practical experience, three key features contribute to a successful mandate. First, support for the rule of law should be in partnership with the host country and must accommodate the needs and traditions of the various groups that might be involved. Secondly, support should include regional expertise, endorsement and participation. Thirdly, support should be provided under a clear legal framework, including a strong emphasis on consultation and coordination. Operating in such a manner would also focus rule-of-law activities on building the host country's capacity to meet its own protection obligations towards its citizens.

Accountability is a critical element of the rule of law, as has been emphasized by many Member States. The lack of accountability undermines not only the rule of law itself, but also any prospects for reconciliation and sustainable peace. No two cases are the same. A model that works in one place may not be right for another. But the Council must never lose sight of the need to address individual accountability in some manner.

The International Criminal Court (ICC), ad hoc tribunals, regional courts and domestic institutions all play an important role. New Zealand supports the ICC, but we are looking for it to perform in a more sensitive and appropriate manner under its newly amended rules of procedure. Its ability to ensure accountability relies on its being not only independent, but also flexible enough to respond to the needs of its constituents.

The Council also has an important role to play. It must be more supportive of the ICC in a practical way, so that the Court remains an effective accountability tool. But the Council must also be wise when it comes to exercising its power of referral, and more sensitive to regional concerns when considering issues of deferral.

New Zealand is a strong supporter of models such as the hybrid courts in Cambodia and Sierra Leone. They have played a vital role in developing national legal systems, in promoting the rule of law and in ensuring accountability. These and other models placed in a local setting allow far greater local ownership and participation, and can enable a greater level of reconciliation. New Zealand would therefore welcome their wider use in appropriate circumstances.

The President: I now give the floor to the representative of Senegal.

Mr. Diallo (Senegal) (*spoke in French*): At the outset, let me wish you, Madam, my warmest congratulations upon your delegation's assumption of the presidency of the Security Council for the month of February. I also wish to thank your predecessor, His Royal Highness Prince Zeid Ra'ad Zeid Al-Hussein, Permanent Representative of the Hashemite Kingdom of Jordan, for all that he accomplished while leading this body. I would also like to assure you of the full cooperation of my delegation in the exercise of your lofty and important responsibility.

I also wish to thank the Secretary-General for his report (S/2013/341), which places particular emphasis on the evaluation of the United Nations contributions to efforts to incorporate the rule of law at the heart of the activities of the international community in maintaining peace and international security.

We are gathered here once again to consider together how to strengthen the rule of law in the maintenance of peace and international security, a topic that illustrates, in many ways, the urgent need to end impunity and underlines the Council's unwavering commitment to doing so. The interrelationship between the rule of law and peace means that we must take a stand against impunity in armed conflicts and take decisive action on the best ways to mainstream the rule of law as a foundation for lasting peace in the context of peacekeeping operations.

As highlighted by the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1), impunity cannot be tolerated, especially when we are faced with the most heinous crimes, such as genocide, war crimes and other crimes against humanity. The Council members' common duty, as members of the organ with the primary responsibility for the maintenance of international peace and security, is to prevent humankind from ever again facing genocide and other crimes against humanity.

In several theatres of operation, the seeds of conflict between communities are sprouting and growing as they are fed by impunity. In addition to causing conflicts, the scourge of impunity unleashes a desire for vengeance, which causes fresh outbursts of violence in countries that would otherwise be focused on post-conflict reconstruction.

That raises the overarching issue of the administration of transitional justice, which is believed to ensure a definitive return to peace in countries in conflict. In fact, the adoption of amnesty laws, the establishment of truth and reconciliation commissions and the integration of rebel forces into the ranks of the regular army should, in no case, prevent perpetrators of war crimes or crimes against humanity from being brought to justice. Therefore, a balance must be struck between the need for reconciliation and the need to fight impunity, as difficult as that may be, in order to ensure lasting peace.

Today, the multifaceted nature of peacekeeping operations is welcomed by all. However, bitter failures in certain transition processes lead us to revisit one of the fundamental elements of peacekeeping operations, namely, the promotion of the rule of law on the basis of strong and democratic institutions, in particular in the peacebuilding phase. We would like to clarify that it is the primary responsibility of Governments to establish a democratic system and set in motion a process that brings those who have perpetrated human-rights abuses to justice. In that regard, my delegation would advocate a holistic strategy for better coherence among the activities of deployed missions in the political, security, development, human-rights and rule-of-law fields.

In that respect, it is of the utmost importance that the Council highlight the need to improve the effectiveness of such missions, taking into account the challenges encountered in the fight against impunity. Along those lines, United Nations missions' activities on the ground should be concentrated on strengthening judiciary and security bodies, such as law enforcement, the justice system and the prison system. It follows that the rule of law is the touchstone of any system for conflict prevention and settlement, peacekeeping or peacebuilding.

I would therefore like to welcome and highlight the close relationship between the rule of law and the aims of our Organization, which are threefold: peace and security, human rights, and development. I can assure the Council that my country remains committed to those ideals, which are the basis for a viable future in any society.

The President: I now give the floor to the representative of Colombia.

Mr. Ruiz (Colombia) (*spoke in Spanish*): I would like to thank you, Madam President, for having organized this open debate on a topic of great importance for all Member States, namely, justice and the rule of law. I would like to acknowledge all those who have spoken before me and welcome the Secretary-General's report (S/2013/341) on measuring the effectiveness of the support provided by the United Nations for the promotion of the rule of law in conflict and post-conflict situations.

Colombia attaches great importance to the rule of law and sees it as a key element in the maintenance and strengthening of institutions and the efficient administration of justice. For example, in Colombia, international treaties on human rights and international humanitarian law are part of our constitutional body of law, which, according to our national jurisprudence, means that their provisions are binding and normative as constitutional provisions that supersede domestic law. In applying those principles, we act in accordance with the principles that underlie such treaties and in line with our country's belief that efforts to strengthen the rule of law should be based on States' own initiatives, in accordance with their particular needs and their institutional capacities.

Colombia believes that the administration of justice is one of the primary roles of States and that the strength of their democratic institutions depends on it. We therefore welcome the interest shown during the development and implementation of measures launched by the Government of Colombia to ensure the rights of victims to truth, justice and reparations, which go hand in hand with a system of reforms to the justice system. Among those reforms, I would like to highlight Law No. 975 of 2005, known as the Justice and Peace Act, which lays out the provisions for the social reintegration of illegal armed groups, and Law No. 1448 of 2011, or the Victims and Land Restitution Act, which establishes measures to provide assistance and comprehensive reparations to the victims of my country's internal armed conflict. In addition, we have tools such as the Legislative Act No. 01 of 2012, which altered the political Constitution of our country and is known as the Legal Framework for Peace, which is a transitional justice strategy to investigate and punish serious violations of human rights and international humanitarian law. Those provisions could serve as a point of reference for programmes that seek to strengthen the rule of law in countries in situations similar to Colombia's.

While Colombia recognizes the importance of the International Criminal Court in the fight against impunity for the most heinous crimes against humanity, it must also be stressed that strengthening States' national capacities to prosecute and punish such crimes is in the interest of lasting and sustainable peace.

We are aware of the challenges posed by the full implementation of the rule of law. We are committed to continuing to try to work towards that end and to achieve well-being and prosperity for all of our citizens. In that context, we welcome the support that the United Nations can provide us in our efforts to strengthen the rule of law in Colombia.

We are also well aware of the responsibilities associated with the proper administration of justice. Under Law No. 1395 of 2010, we are seeking to eliminate bottlenecks in the judicial sector, so as to make it a more effective tool for a more speedy and complete justice for all citizens.

Colombia would like to stress how important it is for the analysis of different situations to take into account the particular characteristics of each situation, including the different legal traditions and systems and challenges of different kinds, in order to avoid conceptualizations or generalizations that cannot be adapted to the realities on the ground.

It is extremely important that the United Nations, and in particular the Security Council, adopt a cooperative approach with States when it comes to strengthening the various areas that could be improved in the rule of law. Hence it is important to broaden communication between the General Assembly, the Economic and Social Council and the Security Council.

To conclude, I should like to stress that the actions taken by the United Nations in this field are most effective when they complement the efforts made by States. It would be very difficult to understand if decisions taken by the Security Council in the framework of abstract topics of general application were to be applied to specific situations against the course set by legitimately constituted authorities with a view to strengthening the rule of law.

The President: I now give the floor to the Permanent Observer of the Observer State of Palestine.

Mr. Mansour (Palestine): We thank His Excellency the Minister for Foreign Affairs of the Republic of Lithuania for presiding over the earlier segment of this meeting, and we also thank His Excellency the Secretary-General for his briefing.

Promoting and strengthening the rule of law at the national and international levels is of utmost importance to the State of Palestine. In recent years, our country has progressively built and continues to build its State institutions, specifically regarding the rule of law and governance at the national level. Currently, this effort is supported through the 2014-2016 Development

Assistance Framework concluded between the State of Palestine and the United Nations; governance, rule of law, justice and human rights are one of the six pillars of the agreement.

While we continue to make progress in promoting and strengthening the rule of law nationally, the rule of law internationally continues, regrettably, to founder. This is what the international community, specifically this Council, must address, based on the conviction that the rule of law at the international level is the key to the maintenance of international peace and security, its Charter mandate. We hold that the rule of law is also the key to ending Israel's nearly 47-year military occupation.

The challenge for the State of Palestine is that the Council too often protects the powerful and deflects the weak. That is evident in that Israel, the occupying Power, continues to colonize Palestinian land, carry on with illegal practices and commit war crimes, setting back our development, curtailing our rights and sabotaging the possibility of peace and the credibility of the international legal system.

In the case of the question of Palestine, the shelving of international law has led only to a chronic failure to achieve peace and the compounding of the conflict and the human suffering it is inflicting. Today's debate concerns a broader theme, and we welcome that; yet it is imperative to be realists, as there is a simple reality: without justice you cannot have peace, and without law you cannot have justice. Further, without compliance with the law, chaos will prevail, and the outcomes will be difficult to fully predict.

If we are to succeed in our endeavour of building and institutionalizing a culture of law, we must ensure that the Israeli occupation ends and that the conflict is resolved on the basis of law. In the case of the State of Palestine, the law has, at best, been sidelined and, at worst, transgressed in the most egregious manner. The rights of the Palestine refugees have been ignored. The human rights of the Palestinian people have been systematically violated. The humanitarian rights of the Palestinian people as protected persons continue to be trampled. Their rights under the Charter are perpetually denied, particularly the right to self-determination.

It is accurate to say that this is an unprecedented case of lack of rule of law. The Security Council has failed to implement its own resolutions; it has failed for over 46 years to prevent the insidious and active colonization of Palestinian land and the constant attempts to change the status of Jerusalem, a city of international importance; and it has failed to be faithful to the purposes and principles of the Charter. Through the Council's failure to uphold the law, it has created an environment of impunity, allowing a State to continue acting above the law.

The Declaration of the high-level meeting of the General Assembly on the rule of law states:

> "We commit to ensuring that impunity is not tolerated for genocide, war crimes and crimes against humanity or for violations of international humanitarian law and gross violations of human rights law, and that such violations are properly investigated and appropriately sanctioned, including by bringing the perpetrators of any crimes to justice, through national mechanisms or, where appropriate, regional or international mechanisms, in accordance with international law, and for this purpose we encourage States to strengthen national judicial systems and institutions." (*General Assembly resolution 67/1, para. 22*)

Time is of the essence for the international community to act to prevent Israel's settlement annexation enterprise from destroying the viability of and the prospects for a negotiated two-State solution based on the pre-1967 borders and the long-standing international consensus. We urge all States to take concerted, collective action to disassociate their economies and institutions from Israel's illegal practices, specifically settlements, and to insist on respect for the rule of law, as enshrined in the Charter, international covenants and conventions and United Nations resolutions, so as to justly resolve this decades-long conflict.

In this regard, we welcome initiatives by the European Union and other States to deny any funding to Israeli entities in the occupied Arab territories, and those States, such as South Africa, that have begun labelling Israeli settlement products as such. We encourage others to follow, with the hope of salvaging the prospects for a just and peaceful two-State solution strengthened by the rule of law.

The Palestinian people continue to wait for the international community to fulfil its pledges and continue to be not the exception to the rule, but an example of the achievement of freedom, peace and justice through the rule of law.

The President: I now give the floor to the representative of Switzerland.

Mr. Seger (Switzerland) (*spoke in French*): Madam President, we would like to thank you for having convened this debate. We also welcome the Security Council's practice regarding the inclusion of the rule of law in peacekeeping missions. In that context, we welcome the recent efforts of the Secretary-General to ensure greater coordination on the ground by, inter alia, designating the Department of Peacekeeping Operations and the United Nations Development Programme as the joint global focal point for the police, justice and corrections areas in the rule of law in post-conflict and other crisis situations.

On the institutional front, we believe that the Rule of Law Unit of the Secretariat has an important role to play in defining a consistent and coordinated approach to the rule of law throughout the United Nations system. We hope that pooling our efforts will make a difference on the ground.

That said, restoring and strengthening the rule of law in the aftermath of conflict and building national capacities are challenges that require our attention in both mission and non-mission settings. We must be consistent in our efforts from the very outset and sustain our efforts in the long term.

Madam, we thank your presidency for preparing a concept note (S/2014/75, annex) that rightly highlights a number of important steps that could be taken to ensure that rule-of-law mandates are more effective. It is very important that mandates be spelled out in a more specific fashion to improve monitoring. Moreover, mandates must be tailored to specific situations, inter alia, through consultations with the host country, local actors and other stakeholders.

In that regard, special political missions and United Nations country teams could also be mandated in a more systematic manner to do political work and to promote the rule of law.

Mandates that assist international criminal justice efforts by supporting both national processes and the International Criminal Court, as was the case for Mali in resolution 2100 (2013), are extremely important. In order for them to be successfully implemented, however, the international community must stand firmly behind them.

Switzerland also wishes to draw the attention of Member States to the fact that the Criminal Law and Judicial Advisory Service of the Office of the Rule of Law and Security Institutions is increasingly short of funds and resources, although it supports and provides advice to operations on the ground. As a result, experts who should be quickly made available to support the rule of law cannot be deployed in a timely manner in the field. We therefore encourage the Secretary-General to submit an appropriate budget proposal to the General Assembly.

Finally, the United Nations must itself adhere to the principle of the rule of law in order to credibly promote it. We should continue to consider options to fill existing gaps, in particular by holding United Nations personnel accountable for any abuses.

The President: I now give the floor to the representative of the Netherlands.

Mr. Van Oosterom (Netherlands): I thank you, Madam President, for organizing this important debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security. The concept note prepared by Lithuania (S/2014/75, annex) explores in an excellent way the challenges and opportunities in this field.

My country aligns itself with the statement made by the observer of the European Union, and my full statement is available.

In our view, respect for the rule of law is an essential condition for peace and for lasting economic development. It is inextricably linked to the protection of human rights and fundamental freedoms. As an open society and an open economy, the Netherlands depends on a strong international order. Our Constitution even obligates our Government to promote the international legal order, and as my Minister, Mr. Timmermans, has said, in Europe we have traded the rule of the strongest for the rule of law.

I would like to make three specific points.

First, for the Netherlands, international law and the legal order are crucial. International legal institutions, such as the various courts and tribunals in The Hague, make a positive contribution to preventing conflicts, to strengthening the rule of law and to combating impunity by holding to account those who have perpetrated mass-atrocity crimes. International efforts should be complementary to efforts under national law. States have a fundamental responsibility to pursue the rule of law towards everyone within their jurisdiction.

The Netherlands strongly believes that the Security Council should refer the current mass atrocities in Syria to the International Criminal Court. In general, the interaction between this Council and the International Criminal Court must be improved. More generally, the international legal order will be strengthened if all States Members of the United Nations accept the compulsory jurisdiction of the International Court of Justice in The Hague.

My second point is that in our view, the rule of law is essential for sustainable development. Security and the rule of law are important development outcomes in their own right. They are also critical building blocks for sustainable development and inclusive economic growth. Therefore, we want to see the rule of law and justice for all included in the post-2015 framework.

Peace and inclusive and effective institutions require the leadership and ownership of the countries involved, supported by the United Nations upon request. That can be achieved only through the acceptance, involvement and participation of citizens and communities. Women, especially, are drivers of development.

Countries without a functioning system that guarantees the rule of law will be unable to reach their development goals. Bilateral efforts must complement multilateral efforts. One of the four pillars of the Dutch development cooperation policy is security and the rule of law. I am proud to say that we have very active bilateral cooperation programmes with both Uganda and with Rwanda in this field.

The third point is that we need a comprehensive approach. Let me recall the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels, which took place in September 2012. It was the first United Nations summit of its kind. The Declaration that was adopted at that meeting (General Assembly resolution 67/1) requests greater coordination and coherence among the United Nations entities and with donors and recipients with the aim of improving the effectiveness of rule-of-law capacity-building activities in countries. The Netherlands fully agrees with that statement.

We therefore support United Nations engagement on the rule of law through the United Nations Development Programme (UNDP), the Department of Peacekeeping Operations (DPKO) and the Peacebuilding Fund. We support the decision of the Secretary-General to appoint DPKO and UNDP as the focal point for police, justice and corrections activities. We urge all involved to continue strengthening the implementation of that initiative, as requested by United Nations missions and offices in the field. More generally, we believe that the Security Council mandates for peacekeeping operations should include provisions on the rule of law.

To ensure growth and development, the rule of law is especially essential for States coming out of conflict. We need to address the causes of conflict and fragility so as to break the cycle and make development possible. However, that works only if a coordinated and comprehensive strategy is in place early on, one to which bilateral and multilateral actors are truly committed. National ownership and vision must guide it in order to meet expectations and to maintain the momentum and credibility of the process. There can be no lasting peace without justice, accountability and reconciliation.

To conclude, let me underline the relevance of the rule of law for the people that we represent here at the United Nations. As the Dutch philosopher Spinoza, who lived some 350 years ago, said, the goal of the State is actually freedom. For citizens worldwide, the rule of law, safety and justice are crucial to guarantee that freedom, to achieve lasting prosperity and to prevent violence and conflict. Country leadership and ownership are essential, and where needed, the international community should stand ready with coordinated and long-term assistance. The Netherlands is and will continue to be a partner for peace, justice and development to both the United Nations and its Member States in that respect.

The President: I now give the floor to the representative of Spain.

Mr. Oyarzun Marchesi (Spain) (*spoke in Spanish*): I would like to thank the Secretary-General for his presence this morning and the Lithuanian presidency for having organized this debate.

Spain fully associates itself with the statement made this morning by the observer of the European Union.

I will distribute in the Chamber the full version of my statement. However, given the long list of speakers, I will extract the paragraphs and statements that, in my opinion, are the most interesting.

The strengthening of the rule of law is absolutely key in conflict prevention and peacebuilding. The international community should assist and support those countries in conflict and post-conflict situations.

Spain believes that the strengthening of the rule of law should be an essential component of mandates of United Nations missions. In countries that have recently experienced a conflict, moreover, the role of transitional justice is particularly important. Transitional justice should be aimed at the prosecution of serious crimes and human rights violations perpetrated during the conflict.

In the process of strengthening the rule of law, women should occupy a central place. There are many measures, but I will mention only one: women should be given a relevant role in the decision-making process.

At the United Nations, we talk a great deal about ownership. National ownership is absolutely key to success. We therefore fully share the position expressed in the excellent concept note prepared by the Lithuanian presidency (S/2014/75, annex). National actors must build institutions and make them their own. No one likes to have institutions imposed from outside.

There must also be adequate planning for all actions. To that end, we must always adopt a gradual approach that includes flexibility.

It is also necessary to ensure that United Nations missions receive adequate and predictable resources. In that context I wish to highlight two issues. Predictability necessitates knowing at a given time how to tackle new situations, which will continue to arise. On the other hand, within the context of the United Nations system, the relationship between the Peacebuilding Commission (PBC) and United Nations missions in post-conflict situations must be strengthened.

I will conclude by mentioning Spain. My country has placed the rule of law at the very core of its foreign policy. We have supported capacity-building in the justice and security sectors and established training programmes on many diverse topics. We have organized seminars, courses and workshops devoted to the justice sector in several Latin American countries and also worked in the Arab world, where, since 2010, Spain has promoted the "Masar" programme focused on promoting democratic governance in the Arab world.

Spain has broad experience in cooperation with other countries and participates extensively in peacekeeping operations. Such experience demonstrates to the Spanish people that strengthening the rule of law is an essential pillar of conflict prevention and ensuring durable peace.

The President: I now give the floor to the representative of Slovenia.

Mr. Logar (Slovenia): I would like to join the others in expressing its appreciation to your delegation, Madam, for organizing this debate on the promotion and strengthening of the rule of law.

My delegation fully aligns itself with the statement delivered by the observer of the European Union. In addition, we would like to make a few comments in our national capacity about topics of special interest.

The rule of law is key not only to international peace and security, but also to sustainable development, respect for human rights and the fight against impunity. It is also a precondition for success in those areas. The international community, including the organs of the United Nations, must therefore step up its efforts to strengthen its support to countries requiring assistance in establishing, upholding and respecting the rule of law.

My delegation recognizes the linkages between the rule of law and the maintenance of peace and security. We therefore welcome the inclusion of rule-of-law parameters in several of the mandates adopted by the Security Council. The inclusion of clear, tailor-made rule-of-law activities is of significant importance in securing stability in conflict and post-conflict areas in the future. In that regard, we believe that feasible time lines, a follow-up mechanism and strict accountability for actions taken should be included in the mandates. Cooperation between the international community and experts in diverse security situations might be also useful.

Regional organizations, and especially local stakeholders, should also be included in the process of establishing the rule of law, as national ownership of the process is crucial in upholding the rule of law after the expiration of a mandate. Therefore, technical assistance to local judicial institutions is vital, and evaluation and monitoring of our work in enhancing the rule of law are of great importance. It is essential that international organizations and other stakeholders work together towards a balanced, fair and just world that can only be achieved in the presence of functioning rule-of-law institutions.

Cooperation at the national and international levels must be enhanced, and the various international and regional organizations should become involved in specific situations. The role of individual international organizations should be based on their mandates, expertise, facilities and other comparative advantages. Their role should be clearly defined, duplication of efforts avoided and information on good practices and lessons learned exchanged.

In that regard, we recognize that the activities of NATO have contributed towards a stable security environment, enabling other international organizations and stakeholders to implement various aspects of stabilization and reconstruction.

The rule of law also includes the fight against impunity. We believe that the role of international criminal courts and tribunals, in particular the International Criminal Court (ICC), is essential in establishing the rule of law. The prosecution of international crimes should remain the primary responsibility of States, according to the principle of complementarity. The role of the ICC takes on particular importance in cases where States are unable or unwilling to prosecute perpetrators of the most heinous crimes. In that context, we emphasize the need to strengthen the international legal framework for judicial assistance and extradition between States in order to support the effective prosecution of international crimes at the national level.

Having recognized that legal gap, Slovenia, the Netherlands, Belgium and Argentina have been working together on an initiative to consider the possibility of adopting a new international instrument on mutual legal assistance and extradition so as to ensure effective investigation and prosecution of the most serious crimes of international concern by domestic jurisdictions.

To conclude, as a staunch supporter of the ICC, Slovenia would like to encourage the Council to seriously consider referrals to the International Criminal Court as one of the tools for establishing the rule of law. In that connection, an effective follow-up of the referred cases is equally essential.

The President: I now give the floor to the representative of Albania.

Mr. Hoxha (Albania): Let me start by thanking the Lithuanian presidency of the Security Council for its initiative to hold this open debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security, and for preparing the concept note thereto (S/2014/75, annex).

Albania has aligned itself with the statement made earlier on behalf of the European Union (EU), and I will therefore limit myself to some remarks in my national capacity.

The correlation between rule-of-law institutions and the maintenance of peace and security in conflict and post-conflict situations and in the context of many other diverse fragile situations resulting from economic, political and social downturns, as well as their impact on development, social cohesion and human rights, has been established beyond any doubt. It is now known only too well that, when rule-of-law institutions fail or lack strength, peace, with all its benefits of development and human flourishing, cannot be sustained. In many examples around the world, Adam Smith's words — a society, while it can exist with some inequality, cannot exist without justice — remain so true.

For that reason, the role of the United Nations, and especially of the Security Council — as the body tasked with maintaining collective security — is central when it comes to ensuring that peacekeeping and the peacemaking operations under its mandate include the restoration of justice and of institutions seeking to strengthen the rule of law.

I would like to make a couple of remarks on some issues that my delegation believes are interconnected, which is why efforts to address them ought to be concerted as well.

First, regarding the design of mandates, we think that clarity on issues such as the accountability of the actors involved in peacekeeping and peacemaking operations, transitional justice and rule-of-law processes, and the transparency of activities are indispensable to enhancing legitimacy and improving performance.

For rule-of-law policies to be effective, they should respond to the demands of particular situations and reflect the diverse social, political and economic conditions and imperatives of local societies. That approach does not betray the universal principle at hand here, which is to seek justice; rather, it raises awareness of the blind spots and tensions that can be found in policies, and consequently creates better conditions for the implementation of rule-of-law reforms.

Secondly, on the sequencing and continuity of support, my delegation believes that United Nations mandates ought to ensure that the attention and focus on rule-of-law reforms do not displace attention from other aspects of societies in transition, namely, economic development and general human development. Hence, a holistic approach is needed to embrace other vital aspects of development. Furthermore, long-term commitment is essential in creating conditions that build trust in rule-of-law institutions and in supporting local actors that have a vital stake in restoring and consolidating justice.

Thirdly and lastly, there must be cooperation with local actors and coordination of activities. National ownership and the internalization of rule-of-law institutions are conditions that can be created through an inclusive process and by embracing various local actors. That approach favours the democratization of local societies and builds trust that solutions to problems can be found locally.

The rule of law would mean little without the guarantee of respect for human rights and building civilian capacities as indispensable tracks for building trust, for reconciliation and for re-assembling societies scattered in pain and hatred. Hard decisions that many countries have made to bring the perpetrators of huge injustices before the international criminal courts — like the International Criminal Court and the ad hoc tribunals, particularly the International Criminal Tribunal for the Former Yugoslavia — are signs of healing and an embracing of the principle of impunity. Safeguarding that legacy and further building upon it is an obligation for all nations.

The rule of law is a pervasive concept, and thus every actor involved might contribute a bit to further strengthen it. In that respect, I would like to particularly point out the precious contribution and achievements of regional organizations such as the European Union in support of rule-of-law reforms, within the EU and in its neighbourhood. The Security Council and the United Nations can only benefit from the knowledge and resources of regional organizations, in particular by relying on them to provide further rule-of-law reforms and to monitor local conditions and situations.

I conclude by reiterating Albania's firm commitment to the rule of law and justice and to the efforts to embrace it in all activities of the United Nations.

The President: I now give the floor to the representative of Qatar.

Sheikha Al-Thani (Qatar) (*spoke in Arabic*): Allow me to thank you, Madam President, for convening this open debate. It also gives us great pleasure to welcome the participation of His Excellency the Minister for Foreign Affairs of the friendly Republic of Lithuania in conducting the discussion this morning. I would like to commend the comprehensive concept note (S/2014/75, annex) that you have introduced. I would be remiss if I did not pay tribute to the role the Security Council and His Excellency the Secretary-General for continuing discussion of this subject, given the importance the international community attaches to the promotion of the rule of law at the national and international levels.

The definition by the international community of the elements included in the concept of the rule of law affirms the interrelationship between the rule of law and the three pillars of the United Nations, that is, international peace and security, development and human rights. It is also a culmination of the international efforts in that regard. Therefore, the State of Qatar renews its support to what was stated by the Heads of States and Governments in the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1) and in the other resolutions adopted in that connection, which stress the need for clear legal frameworks to mainstream the rule of law in all aspects of life and at all national, regional and international levels. Hence, the promotion of international peace and security, which we all seek, depends upon the ability of States to respect and follow up the implementation of those legal frameworks.

The commitment by States to respect the rule of law and its entrenchment in all spheres of life is the cornerstone of the maintenance of international peace and security. Also, the protection of human rights and the achievement of development and social justice are at the very heart of the responsibilities of States at the national and international levels. The commitment to them is a translation of the principles of the rule of law.

International instruments have provided for the need to respect and to enforce the rule of law and equality before the law and to act accordingly That cannot be achieved without taking accountability measures, preventing grave violations of international law and international humanitarian law and other international crimes, and ensuring that perpertrators do not enjoy impunity and that subjective political interests are not allowed to undermine justice.

If we look at the situations that threaten international peace and security, we conclude that the reasons behind them include the absence of the rule of law in some States. That has led to the emergence of despotic regimes that disregard the law and the will of their peoples; rather, they violate their basic rights to justice, freedom and decent life. Those regimes have become a source of threats to regional and international peace and security. The promotion and implementation of the principle of the rule of law threfore require respect for mechanisms agreed upon by the international community in order to put an end to grave violations of human rights, combat impunity, support United Nations efforts to achieve the peaceful settlement of disputes, empower women, combat corruption and ensure respect for the right of peoples to self-determination, in a manner that paves the way for achieving international peace and security.

Believing as it does in the principle of the peaceful settlement of disputes on the basis of international law and the Charter of the United Nations, and recognizing the importance of international cooperation, the State of Qatar has sought to contribute effectively to promoting the efforts of the international community to achieve international peace and security. It has contributed, in coordination with the Security Council and the relevant international organizations, to achieving a peaceful settlement to a number of disputes.

As an affirmation of the commitment of the State of Qatar to the responsibility of Member States to participate in promoting the principle of the rule of law on the basis of United Nations resolutions, and with a view to supporting the international community's efforts in this area, my country, in cooperation with the United Nations Development Programme, took the initiative of establishing in Doha a regional centre for the rule of law and combating corruption, which was inaugurated in 2011 under the sponsorship His Highness the Amir of Qatar. The centre plays an important role in promoting the principle of the rule of law in the region and in enabling relevant officials and civil society organizations to promote the rule of law and combat corruption.

Finally, the State of Qatar supports what is underscored in the concept note regarding the integration of the rule of law at the national and international levels. Such integration should be given particular importance. Relations among the topics must be subject to the rule of law on the basis of equality, mutual respect and international cooperation, and the behaviour of States should be in line with the provisions of international law.

The current crises and violations in the world reflect the disregard and disrespect by some regimes for international law and international humanitarian law, and their feeling that they can escape their responsibilities in the absence of robust implementation of international accountability. The violations being inflicted upon the brotherly Syrian people are clear proof thereof. Consequently, we once again call on the Security Council, by virtue of its responsibility to apply the Charter of the United Nations, to implement the mechanism adopted by the international community in that connection, and not to allow any negligence with regard to international law, regardless of baseless pretexts. That will not be achieved without a scrupulous commitment to the principle to the rule of law.

The President: I now give the floor to the representative of Namibia.

Mr. Emvula (Namibia): Madam President, while joining others in congratulating you on your country's assumption of the presidency of the Council for the month of February, I wish to thank you for convening this meeting and for the choice of the theme "The promotion and strengthening of the rule of law in the maintenance of international peace and security", which is most appropriate. The importance of this topic will go a long way towards helping expand the consensus of States in strengthening the rule of law, especially at the international level.

As a State founded on the principle of the rule of law, Namibia reiterates its commitment to the promotion and strengthening of the rule of law as a necessary precondition to help maintain peace, promote development and enhance cooperation that is aimed at building a harmonious world.

As an important manifestation of human civilization and progress, the consolidation of the rule of law at the international level is of the utmost importance. Namibia believes that the United Nations remains the central point for the consolidation of the rule of law internationally. The United Nations system should therefore serve as a banner of transparency and democracy that involves the participation of the entire international community in finding lasting solutions to contemporary global issues.

The primary role of the General Assembly, as the sole organ with universal membership, is central to the promotion and strengthening of the rule of law, and its exclusive function to progressively develop and codify international law cannot be overemphasized. We welcome the Security Council's continuous engagement in considering this issue, as it is important for the promotion and maintenance of peace and security.

At the 2005 World Summit, world leaders unanimously recognized the need for universal adherence to and the implementation of the rule of law at both the national and international levels: a further commitment to an international order based on the rule of law and international law was reaffirmed.

Drawing from that general consensus on the international rule of law, three basic elements should be identified. First, public power should not be exercised arbitrarily. This incorporates the rejection of the rule of man and requires that laws be prospective, accessible and clear to all. Secondly, the law should apply to the public authority itself, which implies that the law should reign supreme. And, thirdly, the law must apply to all persons equally, which implies equality before the law.

While being mindful of those key principles of our common understanding of the rule of law, it is important to note that those principles cannot be translated directly. At the national level, the rule of law regulates subjects in a vertical relation to the sovereign, while at the international level, the rule of law is to regulate entities that are perceived to be equal in a horizontal relationship. In that context, we need to be cautious with regard to the legitimacy of certain Council activities, especially when it passes resolutions of a law-making character.

Namibia attaches great importance to universal adherence to and the implementation of the rule of law. The promotion of justice and the rule of law is essential for peace, the prevention of armed conflicts and cooperation among States. International law is therefore important for fostering stability in international relations. It also provides a framework for addressing our common challenges, thereby contributing to the maintenance of international peace and security.

As international peace and security are critical for the promotion of the rule of law, the Security Council is at the heart of this endeavour. The Charter of the United Nations assigns the Security Council the primary responsibility for the maintenance of international peace and security. However, with the passage of time it has become clear that the current composition and structure of the Council have become unrepresentative and undemocratic and do not truly reflect contemporary geopolitical realities.

In that context, Namibia reiterates its call for comprehensive reform of the Security Council to make it more democratic and transparent, so that it may better serve humankind. We note that in the face of some of the current international conflicts, action or inaction by the Security Council is based on self-serving political considerations, which may hinder the effective implementation of its mandate. Calls for Council reform, therefore, cannot be overstated.

The protection of humankind from the scourge of war is the principle foundation of the United Nations. We therefore believe that that noble goal can be achieved only when all States Members of the United Nations refrain from the use or threat of use of force in any manner inconsistent with the purpose and principles of justice and international law. The right to self-determination, non-interference in the domestic affairs of other States, respect for human rights and respect for equal rights of all without distinction as to race, language, religion, cultural or social character are obligations under the Charter that should guide State conduct at the international level.

The Council's effectiveness as a political actor and its legitimacy as a legal actor are connected. The international community's readiness to recognize the Council's authority significantly depends on how responsible and accountable it is, and how it is seen to be exercising its extraordinary power on behalf of the international community. It is therefore in our collective interest to ensure that the Council's role in promoting the rule of law ensures that its decisions are both effective and legitimate.

The President: I now give the floor to the representative of Pakistan.

Mr. Masood Khan (Pakistan): We thank you, Madam President, for holding this open debate on the rule of law and for circulating a very substantive and comprehensive concept note (S/2014/75, annex) and for asking very sharp questions to guide and structure our debate.

We need the rule of law and justice in non-conflict, conflict and post-conflict situations. During peace time, the rule of law acts as a bulwark against strife within societies. The rule of law within nations, supplemented by the international rule of law, prevents inter-State conflicts and wars. Therefore, at all times, the rule of law is an indispensable enabler and goal of peace and security.

Pakistan is committed to the rule of law. Prime Minister Nawaz Sharif has said that all roads to national security, strong and unimpeachable defence and institutional balance emerge from adherence to the constitutional order and the rule of law. The rule of law includes the fundamental principles of equality before the law, equal treatment before the law and due process.

The normative and empirical value of the rule of law in preventing conflict as well as in making and building peace is proven. As pointed out in the concept note, the existing United Nations rule-of-law repertoire covers a broad spectrum, including policing, legislation, transitional justice, security sector reform, natural resources and laws to combat sexual violence, corruption and money-laundering.

To attain clarity, credibility and achievability in the design of mandates, greater resources and expertise should be harnessed for data collection and conscious and repeated efforts should be made to build synergy among senior United Nations leadership in-country. Moreover, the United Nations should work with host countries to integrate the rule of law into their core national priorities. Each conflict situation is unique and has its own dynamics. Each country requires a customized solution to meet its requirements. We agree with you, Madam President, that reform in one sector should not outpace progress in other sectors in a manner whereby the overall investment in the rule of law is undermined.

We thank the Secretary-General for his report on measuring the effectiveness of the support provided by the United Nations system for the promotion of the rule of law in conflict and post-conflict situations (S/2013/341). I shall make a few comments on the report.

The rule of law is a multidimensional social and political reality that varies by context, and thus changes in it cannot be taken up easily through a single time-bound or specific effort to measure it. The national perspectives of Member States are important for working on the availability of data, monitoring mechanisms, analytical frameworks and evaluation systems. Member States must be consulted at the time of making changes in activities related to the rule of law in the United Nations system at the field level and at Headquarters for our strategic reorganization or operational support.

In planning for transitions and drawdowns, correct assessments and precise timing are important, including with regard to the degree of maturity in the rule-of-law mandates. Some countries manage to have a semblance of stability but are actually teetering on the brink of relapse because the root causes and key drivers of the conflict continue to influence the underlying dynamics. In such situations, transitional criminal justice and national reconciliation process must move in tandem to enable closure. The rule of law will not take root in fragile societies if it is not supported by strong institutions. Extended, results-oriented investment in civilian capacities is therefore a must.

In post-conflict situations, the Peacebuilding Commission and its different configurations should play a major role. The Commission should not be treated as an accoutrement, but as an integral part of the overall peacebuilding effort.

The rule of law should not be imposed top-down. It should be people-driven and supported by grass-roots communities. National ownership will guarantee the success of the rule of law, if it is the product of the national ethos.

Let me list a few additional points that we should take away from this debate. Strong groundwork and comprehensive assessment at the field level are crucial for the better design and implementation of mandates, including their prioritization and sequencing. The timely and assured provision of adequate resources and funding is critical for success, and since resources are scarce, it is essential to direct them from the very beginning to the right areas, including the root causes.

There is a need to better utilize the linkage between rule of law interventions and political processes for peace dividends. The global focal point, led by the Department of Peacekeeping Operations and United Nations Development Programme, should play its important role in ensuring system-wide coherence and synergy of efforts.

The United Nations must build its capacity to uphold the rule of law, at both the national and the international levels. International judicial institutions should be strengthened. Their frequent use and the resort to other diplomatic means, such as negotiation, mediation, conciliation, arbitration and the good offices of the Secretary-General, as enshrined in the Charter of the United Nations, will promote the pacific settlement of disputes and strengthen the rule of law.

Efforts should be made to implement all resolutions of the Security Council uniformly and non-selectively. Selective implementation creates an unjust environment, deepens conflicts and compounds the suffering of the affected people. It also erodes confidence in the system and undermines the credibility of the United Nations over time. The United Nations should therefore play a leading role in upholding and promoting the rule of law by setting examples.

The President: I now give the floor to the representative of Turkey.

Mr. Çevik (Turkey): At the outset, I would like to congratulate Lithuania on assuming the presidency of the Security Council for the month of February and thank you, Madam President, for convening today's thematic open debate.

We would like to reaffirm our commitment to the rule of law and we stress its fundamental importance for political dialogue and cooperation among all States. We are of the opinion that the rule of law has a fundamental role in the further development of the three main pillars upon which the United Nations is built, namely, international peace and security, human rights and development.

It is evident that a comprehensive approach to sustainable peace requires an integrated approach based on coherence among the various political, security, development, human-rights and rule-of-law and justice activities. While keeping in mind that the need for universal adherence to the implementation of the rule of law remains crucial, we need to promote justice and the rule of law as indispensable elements for peaceful coexistence and the prevention of armed conflicts.

The rule of law applies to all States equally, as well as to international organizations, including the United Nations and its principal organs. In that respect, the promotion of the rule of law and justice should guide all of their activities and provide predictability and legitimacy to their actions.

Today, we all concur that the rule of law is one of the key elements of conflict prevention, peacekeeping, conflict resolution and peacebuilding. In that vein, justice, including transitional justice, is a fundamental building block of sustainable peace in countries in conflict and post-conflict situations. It is evident that there is an urgent need for the international community to assist and support such countries.

Member States, bound by the Charter of the United Nations, reaffirm their duty to settle their international disputes by peaceful means, and utilizing and promoting tools for the pacific settlement of disputes is of the utmost importance. We need to strengthen our response at all stages of the conflict cycle — from prevention to resolution and the implementation of peace agreements. In that context, mediation is a cross-cutting tool to be utilized at all stages of the conflict cycle.

Turkey therefore endeavours to strengthen the role of mediation in the peaceful settlement of disputes and in conflict prevention and resolution, along with the other members of the Group of Friends of Mediation, which it co-chairs with Finland.

The success of efforts to promote the rule of law at the international level depends on ensuring States' strict compliance with the accepted rules and principles, particularly those embodied in the Charter of the United Nations and those arising from obligations under multilateral treaties and international law in general. Adherence to international law and respect for the rule of law are intertwined, and securing them both constitutes one of the core missions of the United Nations.

The rule of law is not an abstract concept. We need to find better ways and means to apply it in concrete terms. In that respect, national ownership of the rule of law is crucial. We need to promote rule-of-law assistance activities and strengthen justice and security institutions that are accessible and responsive to citizens' needs and that promote social cohesion and economic prosperity.

It is equally important to recognize the need for enhanced efforts aimed at capacity-building in justice and security institutions, especially in the police, prosecutorial, judicial and corrections sectors.

There is an obvious demand for strengthened international cooperation among Member States for the promotion of the rule of law in all its aspects. With that expectation, donors, regional, subregional and other international organizations and civil society actors can play an important role in promoting capacity-building, including through education and training on issues related to the rule of law.

Terrorism continues to pose one of the most serious threats to international peace and security. However, all measures used in the fight against terrorism must be in compliance with the obligations of States under international law. In a similar manner, based on the principles of shared responsibility and in accordance with international law, we need to cooperate to dismantle illicit networks and counter the drug problem and transnational organized crime in order to strengthen the rule of law.

The United Nations has an important role to play in broadening the areas of international cooperation aimed at enabling Member States to implement international treaties more effectively. Concurrently, United Nations assistance with the capacity-building needed to implement international treaties is vital, particularly for developing countries. The rule of law would not be possible without effective jurisdictional mechanisms at the national and international levels. Effective implementation of multilateral treaties remains at the heart of establishing the rule of law between States.

We attach the utmost importance to the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1), adopted on 24 September 2012, and the presidential statement (S/PRST/2012/1) of 19 January 2012. We also note the important role played by the Department of Peacekeeping Operations and the United Nations Development Programme as the joint global focal point for the police, justice and corrections areas in the rule of law in post-conflict and other crisis situations.

Lastly, promoting accountability is an important tool at the disposal of the Security Council in discharging its primary responsibility for the maintenance of international peace and security. Granting impunity or immunity to the perpetrators of the most serious crimes could cause serious harm to the delicate fabric of societies and undermine international peace and security.

The Security Council has the authority and the moral responsibility to respond to the historic challenges that we are facing today. The rule of law can prevail in establishing international peace and security only if the people believe in it.

Thank you.

The President: I now give the floor to the representative of Botswana.

Mr. Ntwaagae (Botswana): The Botswana delegation joins in sincerely commending the presidency of your country for hosting today's debate and in thanking you, Madam President, for the very insightful and comprehensive concept paper (S/2014/75, annex) that has been produced to guide our deliberations. My delegation is therefore delighted to have the opportunity to share perspectives and experiences on the subject matter of today's debate.

Throughout human history, societies have been governed through a set of commonly held standards, cultural values and rules. Those rules are still as applicable and as relevant today as they were centuries ago. Even as we define new development frameworks as modern societies, we continue to cherish these basic rules, as they not only maintain peace but also govern relations between States and citizens.

The rule of law requires that a Government, its officials and the representatives of the people should be accountable to the people. Such accountability, in turn, should be clearly set out in the law, which should also provide remedies in cases of a breach thereof. Respect for the rule of law is therefore an essential condition for peace, security, the prevention of conflict, conflict resolution and post-conflict reconstruction. Most conflicts, especially in Africa, are attributable to deficiencies in governance institutions and in the justice system.

It can be said, therefore, that the rule of law places obligations on both the State and its citizens, including civil society, to observe, respect, and, most importantly, take ownership or have a stake in the legal order of the country.

These general observations on the rule of law are equally applicable at the international level, where relations among States should be based on a clearly defined framework as set out in the United Nations Charter. Alignment between national and international law is therefore critical.

My delegation believes that the rule of law and accountable governance are the core foundations of societies, big or small, rich or poor, and that these must be promoted by the international community in order to bring about peace in the world.

My delegation is also of the view that social and economic growth and sustainable development are closely linked to, and interdependent with, the rule of law and human rights. Economic development should not be seen only as a goal for countries or Governments, but also as a right to which citizens are entitled.

We in Botswana believe that our modest achievements on the economic front have been greatly facilitated by our investment in a functioning democracy, a legal framework that is both clear and predictable, and respect for the rule of law and human rights.

My delegation remains gravely concerned at the fact that the world continues to experience gross violations of human rights as well as violations of international law and international humanitarian law. We continue to be concerned about the ongoing conflicts across the globe, especially in the Central African Republic, in Mali, in Syria, in South Sudan and, more recently, Ukraine, where conflicts have displaced innocent civilian populations, leaving them stranded without food, shelter or medical care.

It is our view that States have a duty and an obligation to protect their citizens. My delegation therefore supports the notion that the United Nations system should continue to foster accountability for gross violations of human rights and serious violations of international law, and we call on Member States to fully cooperate with the established mechanisms mandated by the United Nations or created with its support to dispense justice.

The events of 21 August 2013, during which hundreds of people were massacred through the use of chemical weapons in Damascus, cannot go unaccounted for. The ensuing conflict and the continued inability of the Syrian regime to protect its population place a moral obligation on the international community to come to the rescue of the suffering masses in that country.

In that respect, we reiterate our long-held position, which is shared by many Member States, that the Council must refer the worsening situation in Syria to the International Criminal Court. We remain steadfast in our support for the work of the Court as well as that of the Security Council in their continued efforts to strengthen the international criminal justice system.

Botswana, as a member of the international community, pledges to continue to play its part in promoting the rule of law not only within its borders but throughout the world. It will continue to support the efforts of the United Nations system, especially those that are targeted towards peacekeeping, post-conflict zones and transitional arrangements.

My delegation remains appreciative of the efforts of the United Nations system to support national law-enforcement mechanisms through programmes that continue to benefit our respective law-enforcement officers and our judicial and correctional institutions. That has made an immense contribution to the greater appreciation of the rule of law at the national level.

The President: I now give the floor to the representative of Kazakhstan.

Mr. Abdrakhmanov (Kazakhstan): We commend His Excellency Mr. Linas Antanas Linkevičius, Minister for Foreign Affairs of Lithuania, and the Lithuanian presidency of the Security Council for having convened this very important debate on ways to strengthen and measure the effectiveness of the rule of law.

Kazakhstan considers its engagement in Iraq and other interventions, as well as the future deployment in coming months of its military observers to the missions in Liberia, Côte d'Ivoire, Western Sahara and Haiti, as part of the country's ongoing contribution to peace and security.

Kazakhstan's commitment to the rule of law is based on the following principles: respect for human rights; compliance with international law; acting within the framework of existing negotiating formats; and refraining from actions that would result in greater tensions and would worsen the humanitarian situation.

With regard to sanctions, we believe that they need to be targeted; have time constraints, with specific humanitarian exemptions, so as to minimize their negative effects; and should be imposed as a last step, to be taken only in cases where all political and diplomatic means of reconciliation have been exhausted.

Peacekeeping operations must have adequate, well-trained personnel and resources. We would therefore focus on assessing the impact that the rule of law has on the maintenance of national stability by not only preventing the recurrence of conflict but helping post-conflict societies to heal better and faster by bringing perpetrators to justice, ending corruption, and attracting investments for future recovery and development. Other measures include the enforcement of accountability and enlisting the cooperation of the

States concerned, as well as reparation programmes for the victims of conflicts and the efficient delivery of justice.

The question is, how can peacekeeping work effectively to strengthen police, justice and corrections institutions, as well as the institutions that can hold them accountable, if most of them have been destroyed following a conflict, with key legal records missing and conditions that include insufficient independence of the judiciary, political interference and a lack of the rule of law.

In addition, all rule-of-law initiatives must be based on national ownership and priorities identified by the national authorities and civil society, consistent with the culture and legal traditions of the host country, yet not in conflict with international norms. In the light of recent Security Council debates, we must also ensure that peacekeeping operations more effectively implement resolutions on the protection of women, children and civilians in armed conflict.

The Security Council needs overall support in adhering to the basic principles of the rule of law in order to ensure the legitimacy of its actions. To meet those challenges, the United Nations system must employ country-level, sector-wide and thematic assessments of rule-of-law implementation. Therefore, we should consider mandating support for capacity-building in national data collection, monitoring and analysis in all United Nations missions and operations. However, we do not yet have baseline data on the rule of law and look to the Department of Peacekeeping Operations and the United Nations Development Programme as the global focal point on the rule of law to provide those critical benchmarks.

Restoring and maintaining the rule of law is a long-term process that requires the close cooperation of all stakeholders, including the United Nations system, national and regional partners, international organizations, donors, the private sector, academia, civil society and the media. We call for new inclusive global platforms, such as that held by the General Assembly in 2012, to help to consolidate the current fragmented approach of rule of law assistance.

Kazakhstan is committed to joining the international community in enhancing international rules not only for security but as an integral part of international development and the global well-being, manifested as lasting stability, peace, security, economic development and social progress.

The President: I now give the floor to the representative of Indonesia.

Mr. Percaya (Indonesia): I would like to begin by extending my appreciation to you, Madam President, for having convened this open debate and for the excellent concept note (S/2014/75, annex). It is also a privilege for me to welcome the participation of His Excellency Mr. Linas Linkevičius, Foreign Minsiter of Lithuania. My delegation would also like to thank the Secretary-General for his comprehensive briefing.

Indonesia fully subscribes to the importance of promoting and strengthening the rule of law in countries emerging from conflict. Not only does the rule of law help to restore order, but also, very importantly, it serves as an undisputed sign of a functioning authority. With that in mind, I would like to highlight two principal ideas for the development of the rule of law.

First, the development of the rule of law must support sustainable peace in post-conflict countries. In that respect, I wish to reiterate the importance of security sector reform taking place at the earliest possible time so as to create an environment conducive to a well developed rule of law. The development of the rule of law must also take place within the comprehensive framework of the national development of the respective countries, along with other important tasks, such as promoting reconciliation, revitalizing the economy, building critical infrastructure, promoting and protecting human rights, providing basic services and strengthening the national capacity.

Secondly, national ownership must continue to be the critical guide for the formulation and execution of the mandates of United Nations peace missions. Indonesia reiterates its strong conviction that the development or the restoration of the rule of law is the national Government's responsibility and that a genuine and inclusive partnership with the host Government must be forged by the United Nations at all times.

Those two principal ideas underline why United Nations peace missions must remain adaptive to local cultures and practices. In that regard, my delegation takes note of the Secretary-General's 2004 report on transitional justice (S/2004/616), which strongly encourages Member States to avoid one-size-fits-all formulas and the unilateral imposition of foreign models.

My delegation is in full agreement with the concept note that the meticulous planning of United Nations peace mission rule-of-law mandates is essential in order to achieve a high degree of clarity and achievability. I wish therefore to reiterate Indonesia's support for robust yet realistic mandates on the rule of law, keeping in mind the need for a solid knowledge of each country's unique situation.

Accordingly, strengthening consultation with the host Government, as well as the troop- or police-contributing countries, will help to create a comprehensive projection of what is expected of the United Nations and how to fulfil such expectations. Such an approach also provides the best opportunity for an integrated approach to the rule of law, most importantly in the timing or sequencing of the relevant support.

On the issue of internal coordination, my delegation appreciates the recent efforts towards ensuring that the Department of Peacekeeping Operations and the United Nations Development Programme work in a more coherent and efficient manner on the rule of law through the establishment of a global focal point. My delegation, however, would like to underscore the importance of regular and institutionalized intergovernmental consultation to ensure the transparency and accountability of those two institutions in the implementation of their respective mandates.

Restoring the rule of law in a post-conflict situation from the outset must be targeted both at helping a society to cope with the legacy of conflict and at enhancing the capacity of the host Government to be more accountable to its people. In that regard, building the human and institutional capacity for law enforcement must be a core component of rule-of-law mandates. With that in mind, Indonesia underscores the very important role of the Peacebuilding Commission.

I also wish to reiterate Indonesia's strong commitment to the United Nations Civilian Capacities Initiative. It remains our view that that Initiative provides a valuable learning process for identifying best practices in institution-building in a post-conflict situation. That conviction has guided Indonesian police officials in various United Nations peace missions in applying their valuable experience of community policing to their local duties.

Capacity-building must go hand in hand with strengthening a culture of law and peaceful coexistence. To that end, local history and customs can provide relevant norms and values that support universally recognized principles, such as the promotion and protection of human rights, transparency and equality. Such a culture-sensitive approach will better withstand resistance and strengthen local confidence in the rule of law development.

Furthermore, Indonesia is firmly convinced that the inclusion of women and children in the rule of law agenda, as part of community empowerment, strengthens local resilience and forms a significant platform for development. That conviction manifests itself in our sending female peacekeepers and police personnel to the United Nations Interim Force in Lebanon and the African Union-United Nations Hybrid Operation in Darfur. While modest in number, our female officers have played an instrumental role in the mainstreaming of gender perspectives in the activities of those missions.

The latest report of the Secretary-General on measuring the effectiveness of United Nations rule of law assistance in conflict and post-conflict situations (S/2013/341) provides a substantial and in-depth analysis for our future work. While appreciative of the work of the Secretary-General, Indonesia reiterates the need for further deliberation on the subject as set out in the report.

Indonesia concurs that national data collection and measurement are necessary for the evaluation of United Nations peace mission mandates. Nonetheless, our initial view is that those activities should be carried out under the umbrella of strengthening the national capacity of the Governments concerned.

Against that background, such national data collection and measurements are best carried out under the authority of host Governments. That will encourage them to fully understand standards and parameters for fair, transparent and accountable rule of law. Such capacity is indispensable in the formulation of the country's own national legal development.

To conclude, promoting and strengthening the rule of law is indeed a complex and daunting task. It calls for a high degree of understanding and empathy towards the local situation and a willingness to engage in a sustainable manner. To that end, the United Nations must prepare itself for missions of such character in future. Among other things, funding, management, human resources and expertise can and must be made available in a timely and sustainable fashion.

The President: I now give the floor to the representative of Slovakia.

Mr. Vencel (Slovakia): We would like to thank the Lithuanian presidency for dedicating this thematic debate to the issue of the rule of law, which is so instrumental to ensuring effective peacebuilding.

Slovakia aligns itself with the statement delivered on behalf of the European Union.

We are pleased that the concept of the rule of law is gaining ground among Member States and is seen as a necessary instrument for sustaining peace, improving stability and providing a legal basis for the protection of civilians. Slovakia welcomed and supported the adoption of the high-level Declaration on the subject last September (General Assembly resolution 67/1).

We commend the personal engagement of Deputy Secretary-General Jan Eliasson and the many dedicated experts from the Secretariat and Member States, especially Austria as the coordinator of the Group of Friends of the Rule of Law.

The concept of the rule of law is embedded in the Charter of the United Nations. Its third preambular paragraph states that one aim of the United Nations is

> "to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained".

The Universal Declaration of Human Rights of 1948, which was the historic international recognition that all human beings had fundamental rights and freedoms, recognizes in its preamble that

> "it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law".

The rule of law determines the security of everyone in every aspect of human life. Today one does not ask whether the rule of law is needed; one asks how to apply the system effectively in all societies, without regard to the world's cultural, historical and political diversity.

A justice system must be equal and all-inclusive, protecting every individual on an equal footing without regard for whether a person belongs to a minority or a majority, or for his or her social or political status. It must not be repressive or discriminate against any marginalized group. Accountability and the fight against impunity are the core principles of any society that respects the rule of law as a principal concept.

National ownership is the first key to the successful and sustainable development of the rule of law. Actors that commit to making the peace process work in any given country should be involved from the beginning.

The responsibility of national leaders is an essential part of national ownership. The Security Council should thoroughly review the actions of national leaders, particularly in implementing the mandates of Council-mandated missions in the areas of the rule of law and security sector reform. The inclusion of all stakeholders, including civil society, is a second key to success. Mandates could then become more effective by respecting national concerns and needs.

Implementation requires two components, capacity and willingness. Capacity can be developed by helping the host nation articulate its needs, engage in strategic planning, manage reforms and build rule-of-law knowledge. Willing participation can be strengthened by demonstrating that those who violate the peace process will be punished and those who take risks in promoting peace will be supported.

Developing effective strategies to overcome deficits in the willingness and ability of the host nation's legal system to confront systemic threats, including the impunity of war criminals, is among the primary determinants of achieving the rule of law.

More broadly, we would like to highlight the important role of the International Criminal Court (ICC). In situations where national jurisdictions are unable or unwilling to address the issue of accountability, the ICC should step in as an independent and impartial judicial body, and thus contribute to reconciliation. Reconciliation is crucial in building future rule-of-law institutions in post-conflict States.

Slovakia offers development cooperation to partner countries with the aim of contributing to sustainable development, mainly by reducing poverty and strengthening democracy and good governance. Slovakia is building on its historical experience and the specific story of the country, which has experienced a difficult but successful transformation process. Our main territorial focus is the Western Balkans and other countries of the European neighbourhood, but we are open to cooperation with other countries as well.

Security and justice are intrinsically intertwined and interdependent but, above all, they are mutually reinforcing. It is not possible to effectively deal with one without paying proper attention to the other. Both security sector reform and the rule of law are essential concepts in peacebuilding. Slovakia — as a strong supporter of security sector reform — endorses a complex approach to the issue, while fully aware that both processes need to be executed simultaneously. As soon as the security conditions of the situation allow, the Council might again become engaged in the Central African Republic. That is a good example of learning from the past in order to avoid the repetition of a situation.

To achieve sustainable peace and development, people must feel safe and secure. That applies to all parts of the security sector, including defence, law enforcement, corrections and justice. Therefore, building effective and accountable security institutions that the State and its people can trust and rely on and that do not discriminate and are based on full respect for human rights and the rule of law is of the utmost importance.

Let me again stress that effective, comprehensive and accountable security sector reform is indispensable for securing lasting peace and sustainable development and preventing a relapse into conflict. In that connection, I welcome with deep appreciation the second report of the Secretary-General on comprehensive support to security sector reform (S/2013/480) and encourage Member States to engage in and fully support the implementation of the report.

But the reach of the rule of law goes beyond security and the rights of individuals. The concept of a sound legal environment is of crucial importance to sustainable development. A dedicated, complex approach to building legal systems has been of the utmost importance for rebuilding, transforming and developing the economy. It is crucial for foreign investors to take important decisions leading to long-term engagement in those processes, thus contributing to building the three fundamental pillars of stability, that is, security, law and development.

In conclusion, the rule of law should not be seen as a by-product of the system; rather, it should be seen as a process taht contributes to security, stability and development, a process that builds on international and human rights law, respects national traditions, culture and history and effectively uses best practices based on partnerships. Referring to that philosophy, the concept of the rule of law should be an integral part of all major international and global policies.

The President: I now give the floor to the representative of Armenia.

Mr. Nazarian (Armenia): Thank you, Madam President, for convening this debate, which serves as an opportunity to examine the issue of the rule of law, a concept that is at the very heart of the stated mission of the United Nations.

In recent years, the United Nations has increased its efforts to address the rule of law in conflict and post-conflict situations. A consensus has emerged that the rule of law should be promoted at both the national and the international levels. It should be based on the Charter of the United Nations, on the norms of international law and on the principles of good governance. We also believe that increased efforts to fight impunity at the national and international levels are essential. It is commendable that the Council continues to focus on the responsibility of States to end impunity and prosecute persons responsible for grave violations of international humanitarian law so as to avoid their recurrence and seek justice and peace.

Armenia attaches the utmost importance to the promotion of justice and the rule of law, as those values are indispensable for the maintenance of international and regional security and the protection of human rights. Moreover, systematic breaches of the rule of law contribute to violations of basic human rights and fundamental freedoms, including the principle of peoples' right to self-determination, which are among the major and immediate causes of regional conflicts. As the Secretary-General rightly points out in his latest report on the subject (S/2013/689), the prevalence of impunity in many States that have experienced conflict allows serious human rights violations to thrive, damages the fabric of societies and prevents the development of lasting resolution to conflict.

We remain extremely alarmed by the fact that, since 2004, the heinous crime of Azerbaijani army officer Ramil Safarov, who slaughtered with an axe an Armenian officer in his sleep during the NATO-sponsored programme in Budapest, simply because he was an Armenian, continues to receive public praise at the official level and, these days, also at a societal level, in a neighbouring country. Today, the murder by Safarov is being cited as an example of patriotic action for Azerbaijani youth by Government officials, which proves that the Azerbaijani side continues its reckless behaviour of spreading more hate propaganda against Armenia and Armenians worldwide. Azerbaijan has thereby opened the door for the recurrence of such crimes. Future murderers will be well aware as a result of the impunity that they can enjoy for murder driven by ethnic or religious hatred.

That is yet another fact that reveals the absence of and disrespect for the rule of law, the very concept of which is the diametrical opposite of the culture of the rule by force that is unfortunately being cultivated in Azerbaijan these days. That alarming behaviour of the authorities of Azerbaijan contradicts not only the humanitarian purposes of international law, but also the relevant international instruments, and it challenges the whole system of human rights. In that context, Armenia aligns itself with the statements made by previous speakers recognizing the important role of justice and the judiciary and the establishment of peace and security in conflict and post-conflict situations.

Countries affected by conflict have to ensure accountability for the most serious crimes of concern to the international community. Implementing binding resolutions that call upon all States to adopt national legislation for the prosecution of individuals responsible for genocide, crimes against humanity and war crimes is of the utmost importance. Therefore, enhancing compliance with international legal obligations by parties in a conflict should be viewed as a key element of the Council's responsibility to maintain international peace and security, which will require a deeper commitment and a broader vision of the future.

Let me reiterate Armenia's commitment to human rights, the rule of law and democracy, as those values are interlinked and interdependent. We must recommit to that approach and actively stay engaged, including at the domestic level, by promoting inclusive and accountable political processes. Armenia remains committed to post-conflict peace initiatives and believes that the Council should seek to further advance the development of initiatives by supporting the rule of law in institutions and peacebuilding mechanisms that help countries emerging from conflicts in their recovery, reintegration and reconstruction efforts and in creating foundations for sustainable peace and development. The successful implementation of that agenda requires a basic level of political will and determination on the part of all players as preconditions for peacebuilding. With those political conditions in place, the ability of the United Nations, or any other intergovernmental and bilateral actor, will be enhanced and supported.

The President: I now give the floor to the representative of Tunisia.

Mr. Khiari (Tunisia): At the outset, I would like to express my sincere appreciation to the Lithuanian delegation for organizing this open debate and to thank it as well for the excellent concept note (S/2014/75, annex), setting out the terms of the discussion. I would also like to thank the Secretary-General for his presentation and comprehensive report on the subject (S/2013/341).

Building on the momentum generated by the General Assembly High-level Meeting on the Rule of Law at the Mational and International Levels held in September 2012, which emphasized the importance of the rule of law as one of the key elements in conflict prevention, peacekeeping, conflict resolution and peacebuilding, today's debate offers us a renewed opportunity to delve deeper into the topic, review the progress that has been made so far and contemplate future actions, so as to respond to the aspirations of people striving to strengthen the rule of law and justice.

Tunisia firmly believes that promoting the rule of law is fundamental for the stability and prosperity of any society. Our own experience demonstrates that inclusive dialogue and adherence by all to the principle of the primacy of law, as well as their common commitment to preserve, strengthen and build solid institutions, are crucial for the promotion of civil peace, stability and development. We came to the conclusion, during the recent positive developments in Tunisia with the consensual adoption of the Constitution, on 27 January 2014, that the rule of law is better respected when people are empowered to voice their rights. The new Constitution enshrines pluralism, the separation of powers, good governance and the independence of the judiciary, which is a real breakthrough for Tunisia's democratic transition process after three years of revolution.

Tunisia believes that the rule of law is particularly essential for the resolution of conflicts and the achievement of lasting peace. Its establishment helps to ensure sustainable and responsive governance in the countries concerned, thus reinforcing their institutional legitimacy and enabling them to gain the trust of the local population. In addition, the rule of law is critical for building confidence in the ability of courts to deliver justice for all, including vulnerable groups. Therefore, it has to be regarded as being at the core of the engagement of the international community in the context of conflict and post-conflict situations.

Tunisia, which recently adopted an organic law on the organization of transitional justice that sets up a comprehensive approach to dealing with past violations of human rights also recognizes the value of measures of transitional justice that take into account the specific concerns of vulnerable groups in post-conflict situations.

We welcome the crucial role of the United Nations in the promotion of the rule of law, at both the national and the international levels, and the assistance it extends to Governments to reinforce norms, build confidence in justice and security institutions, promote gender equality and strengthen accountability, so that impunity for those who commit genocide, war crimes, crimes against humanity, violations of international humanitarian law or gross violations of human rights will not be tolerated.

We believe that a coordinated, coherent and comprehensive approach to rule-of-law assistance within the overall United Nations system is the key to further improving results. In that regard, we express our sincere appreciation for the work carried out by the Rule of Law Coordination and Resource Group, chaired by the Deputy Secretary-General and supported by the Rule of Law Unit, as well as the establishment of a joint global focal point for the police, justice and corrections areas in the rule of law in post-conflict and other crisis situations, with the aim of providing coordinated support to the field.

We also note with appreciation that the Security Council has been playing an important role in strengthening the rule of law in conflict and post-conflict situations, as illustrated by the increasing integration of the issue into its resolutions. In the same vein, it is our view that the dialogue of the Council with the country-specific configurations of the Peacebuilding Commission is important for further promoting the coherence of the rule-of-law activities on the ground.

Moreover, each conflict situation is unique and has its own dynamics. Rule-of-law assistance should, from the outset, be based on a thorough assessment of national and regional contexts and be tailored to the specific and evolving needs of the countries concerned. It should comprise carefully prioritized, sequenced and achievable interventions aimed at backing the elaboration as well as the implementation of national strategies in that regard. That would enable garnering sufficient political and popular support for the envisaged reform, accountability for results and sustainability, and would endow such interventions with greater legitimacy.

My delegation would also like to highlight the need to exert further effort towards the development of national capacities in all areas of rule-of-law reform to enable national authorities to govern effectively and ensure the sustainability of gains. The promotion of the rule of law must also be a journey of continual renewal and effort. It goes without saying that adequate and predictable resources need to be allocated to both ongoing preparedness for and the implementation of rule-of-law activities.

Last but not least, there must be much more focus on the inclusiviness of the rule of law and transitional justice initiatives. All national actors, including civil society, should be in a position to contribute effectively in their design, implementation and evaluation to ensure the legitimacy required for rule-of-law reforms and to achieve results. Indeed, we consider it a fact that civil society not only acts as one of the checks and balances, it is also a vital partner in the quest for a positive relationship between the Government and its citizens.

My delegation would like finally to stress that Tunisia, with its vast experience in peacekeeping, spanning more than 50 years, remains fully committed to contributing to United Nations efforts to further promote the rule of law and stands ready to put further troops and expertise, particularly in the field of justice and corrections, at the disposal of the United Nations.

The President: I now give the floor to the representative of Poland.

Mr. Sarkowicz (Poland): Madam President, at the outset, let me join other delegations in congratulating our neighbour Lithuania on its assumption of the presidency of the Council in February. We are grateful to you for organizing this timely debate and for providing the concept note on the promotion and strengthening of the rule of law in the maintenance of international peace and security (S/2014/75, annex). It contains many interesting and thought-provoking questions.

My delegation fully aligns itself with the statement of the European Union (EU). Over the past few years, the European Union has assumed greater responsibility for maintaining international peace and security, as pointed out by EU High Representative Baroness Ashton in this very room only a couple of days ago (see S/PV.7112).

Poland fully supports the strengthening of the rule of law as a foundation of sustainable peace in conflict and post-conflict situations, as underlined in the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1), of 24 September 2012.

We are convinced that strengthening the rule of law must involve respect for the Charter of the United Nations and international law, respect for the sovereign equality of States, solidarity with the concept of assistance to other countries and recognition of the responsibility of States to protect their populations from genocide, crimes against humanity, ethnic cleansing and war crimes.

We need more reflection at the stage of creating mission mandates. That is the time when we must consider carefully — with broad participation by regional organizations, non-governmental organizations and local partners — the needs and requirements for the rule of law in the specific social, legal and historical context of a given country, taking into account international legal obligations applicable to the country. In providing assistance, we must not overlook the rights established by international law for women, children, minorities, refugees, displaced persons and other groups that may be subjected to marginalization and discrimination.

Rule-of-law assistance in post-conflict situations is most effective when it draws on a wide range of expertise and perspectives, including in the political, legal, human rights, development and social areas. We must develop a holistic and strategic approach. Rule-of-law programmes must be guided by comprehensive strategies that promote the integrity, transparency, predictability and accountability of governance.

Timing, sequencing and proper adjustment are of the utmost importance, as rightly pointed out in the concept note for today's meeting. Rule-of-law programmes must be implemented from the very start of a peacekeeping operation. Waiting too long can make the job much harder. A comprehensive transition-management strategy is equally important, as the rule of law is a part of both exit strategy and entry policy. Peacekeepers often act as early peacebuilders — that is, they implement certain early peacebuilding tasks themselves.

Adopting a one-size-fits-all approach to rule-of-law issues is counterproductive. That is why we must not consider rule-of-law activities as just reforming courts, criminal justice systems or penal law. In many countries, the priorities may be to assist with constitution-making, legislative reform, public administration reform and local democratic governance; to support a fair and transparent electoral system; to establish civil control over the armed forces and police; to fight corruption; to promote extra-judicial bodies acting for the protection of human rights; to promote the peaceful resolution of civil disputes; and to combat transnational organized crime.

Strengthening the rule of law also means learning from practice. We support the development of a coordinated approach for measuring the effectiveness of United Nations support for the rule-of-law component in peacekeeping operations, as specified in the report of the Secretary-General of 11 June 2013 (S/2013/341). Such an approach could strengthen the United Nations capability to collect, analyse and utilize data in order to adjust our support in a professional manner. Furthermore, we need a better linkage between the evaluation and adjustment of United Nations activities on the ground. This must involve joint and thorough assessments with the full and genuine participation of national stakeholders.

Poland is ready to share its experience, acquired during our long participation in peacekeeping operations and two decades of peaceful democratic transition, to assist and support interested countries by offering lessons learned and expertise in building and developing effective institutional capacity.

Establishing the rule of law in post-conflict societies is an essential prerequisite for a successful transition from war to peace. We reinforce our commitment to contribute to further work on strengthening the rule of law in the maintenance of international peace and security.

Finally, as we discuss today's important topic, we would like to stress Poland's deep concern over the recent dramatic developments in our eastern neighbour, Ukraine. We strongly condemn the escalation of violence, and we consider the use of force as unacceptable. That may produce serious and difficult-to-predict consequences, both internal and external, for Ukraine. We call for dialogue and hope that the sides will return to the negotiating table. Ukraine's authorities should demonstrate their will to resolve the current political crisis, as they bear a special responsibility for further developments, given the means at their disposal.

The President: I now give the floor to the representative of the Islamic Republic of Iran.

Mr. Khazaee (Islamic Republic of Iran): Allow me to begin by congratulating you, Madam President, on your assumption of the presidency of the Security Council for the current month and thanking you for holding this meeting on the very important subject of the rule of law.

Our meeting is being held in the wake of another heinous terrorist attack in Lebanon and on the heels of a series of similar horrifying terrorist acts against innocent civilians and targets in a few other Middle Eastern countries. Those acts were aimed at sowing discord among peoples and damaging the social fabric of societies and countries in the region.

The most recent terrorist attack occurred in the positive environment created by the birth of an all-inclusive Government and the positive impact that that had on the Lebanese people. In committing that attack, the terrorists meant to send a message about the insistence of the forces of evil on inflicting harm on Lebanon and its people. The countries in the region and the international community at large, led by the United Nations, should respond to that new wave of terrorism by closing ranks and taking concrete actions.

While my Government condemns the terrorist attack in Lebanon and offers condolences to the victims and their families, we call on the Lebanese people to remain united in the face of such appalling and indiscriminate terrorist acts and to build on the positive steps taken in the recent past. We also reiterate the commitment of the international community, especially the Council, to supporting Lebanon in those efforts.

Peacekeeping has played an important part in the United Nations achievements in managing conflicts, maintaining peace and stability and helping to create the conditions for building durable social and economic development in countries emerging from conflict. Those conditions have links with the strengthening of rule-of-law institutions, supported by the entire United Nations system, upon the request and with the full participation of the countries concerned.

That comprehensive perspective was reflected in the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels (General Assembly resolution 67/1), adopted on 24 September 2012. Paragraph 19 of the Declaration stresses the importance of supporting national civilian capacity development and institution-building in the aftermath of conflict, including through peacekeeping operations, with a view to delivering more effective civilian capacities and enhanced, international and regional cooperation, including in the field of the rule of law.

My delegation emphasizes the critical importance of strengthening the rule of law in countries emerging from conflict in order to help stabilize the situation, put an end to impunity, tackle the underlying causes of conflict and build lasting peace. Peacekeeping operations, within the scope of their respective mandates, play their part in post-conflict situations by helping national authorities develop strategies and support the strengthening of justice and correctional structures in conjunction with the development of police services in order to build a coherent and comprehensive justice system that supports the host country's ability to provide critical services in those fields.

Currently, there are 19 United Nations field missions with components related to rule-of-law activities in different parts of the world. We firmly believe that the establishment of mandates related to rule-of-law activities in post-conflict societies should be in line with the purposes and principles of the Charter of the United Nations and the provisions of international law, including full respect for the territorial integrity and sovereign equality of States and non-interference in the internal affairs of other States. It is also important to ensure the transparency of all decisions leading to the establishment, renewal or modification of mandates through meaningful, multi-stage consultations at an early stage.

States emerging from conflicts need to take ownership as they embark upon the difficult process of rebuilding their countries and making effective improvements to their socioeconomic well-being. Furthermore, investing in national capacity-building and strengthening national expertise in the area of the rule of law are essential to realizing the objective of national ownership, which must become a reality and not remain just an abstract concept.

Meanwhile, the promotion of the rule of law should at all times reflect respect for legal, political and cultural diversity, and therefore encourage a culture of dialogue, tolerance and understanding that is opposed to the imposition of any legal, political, cultural or economic model. The configuration of the political and legal system is a matter for the domestic jurisdiction of States, and there are no one-size-fits-all solutions.

Promoting the rule of law also requires adequate measures for ensuring the accountability of United Nations staff and experts on mission with respect to criminal acts they may commit while deployed in peacekeeping operations. There have been good improvements to ending impunity for perpetrators of such crimes, and we think that the strict measures in effect will promote the credibility of United Nations peacekeeping missions.

Rebuilding societies emerging from conflict is a shared responsibility. It is only through a coordinated and comprehensive approach that the international community can yield lasting results. We hope that today's deliberations will contribute to the achievement of that noble goal.

Finally, although I did not intend to respond to the noises coming from the mouth of the Ambassador of Israel, I must do so.

Today, to the astonishment of many, the representative of the Israeli regime accused the Iranian Government and many other countries in the region of violating human rights. It is astonishing that we have heard such baseless accusations from somebody who represents a regime that was founded, and continues to exist, on the basis of gross violations of the rights of the entire native population of the land concerned. The host of policies adopted by the Israelis against the Palestinians are so grotesque that nothing other than the term "apartheid State" can describe it. They are committing the crime of apartheid against the Arabs living in the occupied territory and within Israel.

The Palestinians are subject to a system of control that includes Jewish-only settlements, the identification system, military checkpoints, separate roads for Israelis and Palestinians and the separation wall — denying Arabs access to their land and resources and delaying their access to health care. For many years, the nearly 2 million inhabitants of the Gaza Strip have lived under one of the most harsh blockades ever, which has denied them access to basic necessities. To a lesser extent, a similar policy targeting the West Bank has been on the agenda.

All of that stems from the denial of the Palestinians' most basic right: their right to self-determination.

The President: I now give the floor to the representative of the Philippines.

Mr. Cabactulan (Philippines): Thank you, Madam President, for having convened this open debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security.

More than six decades after the founding of our United Nations, the task before us still looms large: the pursuit of a just and lasting peace remains. Indeed, despite the advancements we have achieved, we continue to be beset by war, conflict and violence.

An Office for the Coordination of Humanitarian Affairs report paints a sobering picture: in most regions of the world, between 1990 and 2012 and especially over the last decade, the number of people displaced by conflict — excluding fatalities — has been increasing, reaching an 18-year global high of 45.2 million people in 2012. We should redouble our collective efforts. The Security Council should be focused on the critical issues of international peace and security.

To be sure, the situations relating to the lands and waters that give rise to tensions, instability or conflict have become increasingly complex and complicated. But in all these scenarios and circumstances, the fundamental importance of the rule of law as the solid bedrock of nation- and world-building cannot be questioned. The rule of law is a vital object and policy instrument that can lead to lasting peace and stability.

Necessarily, for this building-block to remain strong, we should do everything within our capabilities to ensure that all stakeholders adhere to the rule of law. The rule of law by itself does not ipso facto bring peace and stability. It is adherence to the rule of law that brings those ideals and principles to life and makes positive changes real.

That has been the position of the Philippines, as amply articulated in the principles and purposes of the United Nations. In the pursuit of enduring international peace and security, all stakeholders, especially Governments, should match their pronouncements on the rule of law with action. When we adhere to the rule of law, we ensure that we prevent disputes, resolve conflicts and maintain peace and security, not through sheer, raw power, but through the moral weight of pacific processes.

When we adhere to the rule of law, we make full use of the entire international legal infrastructure available to us to resolve disputes: the International Court of Justice, the Permanent Court of Arbitration, the International Tribunal on the Law of the Sea and other specialized tribunals. When we adhere to the rule of law, we combat impunity in all its forms, reaffirm the importance of the Rome Statute of the International Criminal Court and support efforts to hold accountable the perpetrators of the most serious international crimes.

The international legal system provides ample and extensive adjudicative mechanisms through international courts and specialized tribunals. The motivation to resort to those mechanisms to resolve disputes is there. It is intriguing to note that those professing the existence of the strongest basis for its claims — legal, historical or otherwise — do not have the proclivity to submit to adjudication.

The Philippines acknowledges the importance of the rule of law as a key element of conflict prevention, peacekeeping, conflict resolution and peacebuilding. As such, the Philippines recognizes the inclusion of the strengthening of the rule of law in the mandates of 18 of the 28 Security Council missions' mandates.

The Philippines, as a police- and troop-contributing country, continues to do its part in strengthening the rule of law. The Philippines is present in seven peacekeeping missions. Together with other stakeholders, we work on strengthening the rule of law, including through, among other things, the rebuilding of police and law-enforcement services, ensuring humane and secure prison facilities, strengthening legal frameworks and developing the national civilian capacity.

But more needs to be done. The Philippines calls for the establishment of clear, credible and achieveable mandates for peacekeeping missions. We likewise call on stakeholders to provide the necessary policy, logistical and political support for peacekeeping missions.

The Special Committee on Peacekeeping should provide timely and substantive policy directions that ensure a robust peacekeeping architecture and strengthen cooperation between troop- and police-contributing countries, the Security Council and the Secretariat. Key to such support is the provision of adequate resources and training, for the safety and security of all our peacekeepers. The Security Council must likewise make the utmost efforts to ensure that the freedom of movement of all peacekeepers is respected. Any act curtailing the freedom of movement of peacekeepers or impacting their safety and security must be condemned in the strongest terms.

Last December, peacekeepers deployed to the Integrated Stabilization Mission in Mali were wounded and killed in an explosion. We know all too well that pain and suffering. Throughout our five decades' engagement, Filipino peacekeepers have made the ultimate sacrifice in the name of peacekeeping. Our peacekeepers in the United Nations Disengagement Observer Force were kidnapped on two occasions. We must do everything we can to prevent such incidents.

On the other hand, we must also recognize that the success of rule-of-law efforts relies not only on peacekeeping missions. There should be national ownership, political engagement, and coordination and alignment of efforts and resources. In that regard, we should also look into how other relevant actors can contribute to strengthening rule-of-law efforts. The role and inputs of host countries will therefore be vital.

The Philippines has had to grapple with its own challenges. Throughout the years, my Government has resolutely pursued the path of peace through negotiations and meaningful dialogue within the framework of the rule of law and the 1987 Constitution of the Republic of the Philippines.

In the southern Philippines, we have made significant headway in bringing about a just and lasting peace under President Benigno S. Aquino. Panels from the Philippine Government and the Moro Islamic Liberation Front formally signed the fourth and final annex to the Framework Agreement on the Bangsamoro on 25 January, in Kuala Lumpur, Malaysia.

These tangible fruits of years of committed work deserve the support of all those who have pledged to uphold peace and security through the rule of law. There may be lessons to be learned and best practices based on our experience that the Philippines can share.

Our world knows all too well and has seen too much of the terrible suffering of peoples caught up in conflict and strife. We believe that the biggest takeaway that our collective history — blighted as it is with pernicious violence — has taught us is that the biggest investment we can make is in preventing conflicts from arising.

In the context of internal conflicts, there is much to develop and support so that all stakeholders can come to a peaceful resolution. In the context of preventing international conflicts, we can, and should, rely on the rule of law to ensure not only that the rights of States are observed, but, more importantly, that States comply with their obligations. This is a situation where "right is might".

In this regard, the continuing discussions held over 40 years on the responsibility of States for internationally wrongful acts deserve our careful consideration. Virtually all delegations agreed, during the sixty-eighth session of the General Assembly, that the draft articles were a key contribution to the development of international law, being broadly used as reference by international and national tribunals and Governments. Yet consensus has not been achieved on the next steps forward. There should be a way forward through meaningful dialogue.

Clearly, the road ahead of us remains very long. The advancement and maintenance of international peace and security must continue to be pursued. Let us take this opportunity to renew our pledge to uphold the principles and purposes of the Charter of the United Nations. We must match that pledge with action and vigilance.

We must never fear to call out those who flout the rule of law. We must continue to remind ourselves of the importance of the rule of law and strive for world peace. As responsible members of the international community, we adhere to the rule of law and comply with our international obligations and commitments.

The President: I now give the floor to the representative of Sri Lanka.

Mr. Silva (Sri Lanka): The United Nations has the fundamental responsibility to maintain and strengthen international peace and security in conformity with the principles of the Charter of the United Nations. It is fitting that the Council should highlight the centrality of the rule of law at a time when the world is facing ever increasing threats to international peace in the form of transnational organized crime, terrorism, piracy and climate degradation. The many organs and agencies of the United Nations must play a role in contributing to the promotion and strengthening of the rule of law at the international level.

Strengthening the rule of law is essential in order not only to maintain peace but also to enable sustained economic progress. The flashpoints of future conflicts may well lie in access to critical resources, such as water and energy. Grievances based on violations of economic and social rights have the capacity to spark violent conflict that could spill over borders. The United Nations has a vital role in promoting dialogue on the realization of economic and social rights for all peoples.

The Charter of the United Nations sets out the framework for the development of a rules-based international order. It enshrines the principle of sovereign equality, which continues to be intrinsic to the international legal order and must be respected as international rules are made and implemented. It is a principle that protects all States, especially the small and the weak.

Upholding the principle of non-interference in the internal affairs of Member States, especially in situations that do not pose a threat to international peace and security, is also fundamental. Specific circumstances may call for involvement, which should be based on the agreement of all States. Unilateral and selective applications of the principles of international law must be avoided. In particular, Sri Lanka urges an end to unilateral and selective coercive measures, including economic embargoes against sovereign States that hinder the freedom of trade.

Disputes in the international arena that continue to occur must be settled in accordance with the principles developed to settle disputes peacefully. Justice should not always be reduced to retribution or to resorting to force. Negotiations, arbitration, mediation and other peaceful means must be the first essential recourse.

Close cooperation in the application of laws at the national, regional and international levels is vital in addressing the growing problems of transnational organized crime and terrorism, which threaten international peace and good order. States have concluded a wide range of treaties on mutual assistance that facilitate such cooperation.

The rule of law must also be understood in the context of ensuring the economic progress of individuals and societies, particularly with regard to the right to development. An equitable and democratic international financial structure is necessary in order to fully protect the rule of law at the international level. In maintaining a balance among economic progress, development, environmental sustainability and the utilization of natural resources, the scope of the rule of law can be broadened at both the national and the international levels. As the rule of law at the international level evolves, the responsibility to make a contribution should not rest with a handful of States nor should its implementation be selective. Selective implementation would cause doubts to arise with regard to credibility.

A key aspect of the rule of law at the international level is the codification of international law. The United Nations has been undertaking such work since its inception. In addition, the multilateral treaty framework, developed mainly under the auspices of the United Nations, has played a seminal role in advancing the international rule of law. The Secretary-General is the depositary of more than 530 multilateral treaties, which cover almost all aspects of human interaction. Domestic compliance with treaty obligations, which is an obligation under the Vienna Convention on the Law of the Treaties, is an area where the United Nations can play a crucial and helpful role, particularly in assisting States with capacity-building.

Conflict and post-conflict settings are complex environments with many competing priorities. Therefore, we must recognize the tensions and difficulties that emerge, while trying to balance national security interests and the maintenance of civil rights under such trying local circumstances. Countries with strong legal foundations have the resilience and the capacity to restore democratic institutions. There is a need to give countries such as those the much needed space to begin that restorative process so as to reach an even keel. The United Nations must provide leadership in capacity-building efforts to address the gaps by also factoring in local sensitivities.

Sri Lanka reiterates its willingness to engage with the United Nations in order to promote the rule of law on the basis of constructive, fair, non-selective and objective assessments.

The President: I now give the floor to the representative of Uganda.

Mr. Nduhuura (Uganda): I thank you, Madam President, and the delegation of Lithuania for organizing this open debate on the important topic of the promotion of and strengthening of the rule of law in the maintenance of international peace and security. We also thank the Secretary-General for his briefing.

Our forebears recognized in the Charter of the United Nations the need to live in peace and harmony and expressed their determination to save succeeding generations from the scourge of war. They reaffirmed the rule of law as one of the fundamental components that contributes to the maintenance of international peace and security.

Uganda underscores the importance of putting in place an enabling environment in which the rule of law, in all its dimensions, is promoted and strengthened at the national and international levels. I would like to underscore four points.

First, it is essential to ensure that efforts to strengthen the rule of law at the national level are nationally owned and primarily aimed at responding to the needs and aspirations of the people, taking into account national traditions and cultures. The involvement and participation of all citizens, in particular women and young people, are central.

We need to foster adherence to constitutionalism and democratic governance, underpinned by strong institutions, including the executive, the civil service, the judiciary, the legislature and the security and law and order sectors, with the necessary checks and balances. The principle of the equality of all before the law is fundamental.

Secondly, we concur with the observation set out in the concept note (S/2014/75, annex) that many countries that have experienced conflicts in the past are prone to repeated cycles of violence, displacement, pervasive humanitarian crises and instability. One of the ways to avoid such recurrence is to support post-conflict countries to build strong national institutions that promote peace and security and to provide economic opportunities so that populations benefit from peace dividends.

We have seen many examples in Africa of post-conflict countries following a steady path to durable peace, stability and development through national efforts to build institutions, supported by the African Union, subregional organizations, the United Nations and the broader international community. It is important to ensure early action to address gaps or weaknesses in the rule of law, and a long-term commitment to implement the necessary reforms.

In the pursuit of rule of law, there is no case where one size fits all. That is why transitional justice mechanisms tailored to individual situations can be useful tools. In Uganda, we have seen the benefits of utilizing traditional methods, such as the so-called mato put system, which emphasize reconciliation rather than retributive justice and have strong support from elders and traditional and religious leaders.

Thirdly, the importance of the rule of law as one of the elements of conflict prevention, peacekeeping, conflict resolution and peacebuilding cannot be overemphasized. Yet we need to recognize that such a situation does not occur in a vacuum. It may therefore be necessary, in some post-conflict situations, to support a legitimate Government in exercising more effective control in order to ensure the sustainability of the gains attained through regional or United Nations efforts.

Fourthly, at the international level, we need to ensure that all Member States adhere to and respect international law. No country should have the prerogative to position itself above international law, apply it selectively or with double standards. We are concerned about instances of the application of unilateral measures in the context of international relations in order to pursue individual national interests. Moreover, the marginalization of many developing countries in the context of global political and economic governance institutions should not be allowed to continue.

In conclusion, we call for greater efforts to promote and strengthen the rule of law in all its dimensions, at the national and international levels, in the maintenance of international peace and security.

The President: I now give the floor to the representative of the Democratic Republic of the Congo.

Mr. Gata Mavita wa Lufuta (Democratic Republic of the Congo) (*spoke in French*): Madam President, as this is the first time my delegation takes the floor during your presidency of the Security Council in the month of February 2014, allow me the pleasure of commending your work and to say how pleased my country, the Democratic Republic of the Congo, is to see the friendly country of Lithuania leading the Council's deliberations this month. I also thank you for giving me this opportunity to take the floor before the Council at this meeting focused on the promotion and strengthening of the rule of law in the maintenance of international peace and security.

My country aspires to peace and stability. We make a valuable contribution to promoting the rule of law through our active participation in the major legal instruments of the United Nations system. We are therefore among those courageous States Members of the United Nations that have formally made declarations of acceptance of the compulsory jurisdiction of the International Court of Justice. For more than a decade now, having positively added to its docket a number of matters, we have been one of the main appellants before the Court. Along those lines, we also remain a model of cooperation with the International Criminal Court, which was established to combat impunity for crimes whose gravity has long outraged humankind's collective consciousness.

With respect to the Great Lakes region, to which my country belongs, it must be emphasized that respect for the rule of law is a democratic value that plays no part in the ambitions of those who seek, through actions or deeds, to reignite hotbeds of tension. The remnants of the negative forces that have long appeared on the updated lists of persons under sanctions by the United Nations, the European Union and the Government of the United States of America who still remain in the region should understand that they will not enjoy impunity. Sooner or later, they will have to answer to justice for their actions. We urge those countries harbouring them to assist in arresting and transferring them before the competent judicial bodies, including before the International Criminal Court.

Moreover, as noted by one African Head of State, we will not achieve peace simply by avoiding confrontation. Peace represents humankind's mental health, the satisfaction of seeing justice overcome injustice.

Experience has shown that peace accords will succeed only in the light of respect for the rule of law. That requires strengthened confidence in police, justice and corrections sectors. Nevertheless, it is universally acknowledged that upholding the rule of law is fundamental in ensuring lasting peace after conflict.

In other words, peacekeeping efforts must lead to improved police, justice and corrections services, as well as the institutions to which they are accountable.

In a welcome development, all major peacekeeping operations and many special political missions have for some time now been called upon to work with host countries in strengthening the rule of law. In that respect, most United Nations peacekeeping operations now include a specialized human rights team.

Although, in principle, United Nations peacekeeping operations are deployed to support the implementation of a ceasefire or peace agreement, they are often called upon to play an active role in peacekeeping efforts and to participate in the early stages of peacebuilding. Today, the Organization's multifaceted peacekeeping operations facilitate political processes, protect civilians, assist in the disarmament, demobilization and reintegration of former combatants, support preparations for elections, defend and protect human rights and help to re-establish the rule of law. They may use force if necessary in order to fulfil their mandates or protect civilians.

The establishment of the Intervention Brigade within the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo is part of that effort. The Intervention Brigade is responsible for neutralizing armed groups in order to help reduce the threat they pose to the State's authority and the security of civilians residing in the eastern part of the Democratic Republic of the Congo, as well as for preparing the ground for stabilization activities.

To ensure the establishment of the rule of law in a country emerging from conflict, national and local capacities must be enhanced at the start of a peacekeeping operation. Respect for the primacy of the law is essential to stregthening peace and justice and ending impunity.

As part of the process of reaching peace agreements, political negotiations should lay the foundations for a justice system that is able to address the burdensome legacy of the serious violations of human rights that took place during years of war and to prevent their recurrence in future.

In practice, that approach involves genuine synergies between the democratic requirements of re-establishing the rule of law and the need to restore and to build peace.

In a context profoundly marked by the needs associated with re-establishing the rule of law and peacebuilding, the importance of a spirit of dialogue and reconciliation often become imperatives that cannot be avoided. However, we must avoid creating a situation wherein meeting the demands of dialogue and reconciliation becomes a boon for the insurgents.

We must ensure that the spread of armed violence does not become a way to settle political conflicts and social grievances. Such violence, prompted by a reward for insurrection, has often led to failure in the process of re-establishing the rule of law and peacebuilding in areas of conflict. In practice, the mandates of peacekeeping operations need to be more clear and precise when it comes to issues related to the rule of law. It up to the Department of Peacekeeping Operations to see to it that the rule of law, human rights and transitional justice mechanisms are integrated in the strategic and operational planning of peacekeeping operations. In that context, we must ensure that host countries enjoy comprehensive and integrated assistance in the field of the rule of law from the establishment of a peacekeeping operation.

In conclusion, the Democratic Republic of the Congo remains convinced that peace and justice complement each other. Our experience has shown the irreplaceable role of justice as a factor for social harmony, national reconciliation, peace, security and stability. We have understood that respect for the rule of law and for human rights cannot prevail in a society when the perpetrators of crimes are not brought to justice. Similarly, peace cannot be consolidated in a society beset by impunity.

The President: I now give the floor to the representative of Zimbabwe.

Mrs. Chikava (Zimbabwe): As this is the first time that my delegation takes the floor in the Council this year, allow me to congratulate you, Madam President, on your country's election to the Security Council and on your assumption of the presidency so early in your term. You have indeed hit the ground running. Let me also take this opportunity to congratulate the other new members of the Council — Chad, Chile, Jordan and Nigeria — on their election and assumption of membership in this important organ. I am confident that, under your stewardship, the Council will continue to execute its mandate efficiently and diligently, as has been the case already.

The topic under discussion addresses issues that are at the core of the founding principles of the Organization as enshrined in the Charter of the United Nations. We thank the Lithuanian delegation for the concept note (S/2014/75, annex), which focuses on incorporating the rule of law as an integral component of peacekeeping and peacebuilding mandates. However, we wish to highlight the international dimensions of the rule of law, which are fundamental for peaceful relations between States and the maintenance of international peace and security.

The three pillars of the United Nations agenda — development, peace and security and human rights — are inextricably linked with the rule of law. The settlement of disputes by peaceful means is an integral element of that nexus. The Charter provides a sound framework for the peaceful conduct of relations between States. The United Nations should continue to be guided by the principles of the sovereign equality of States, non-interference in the internal affairs of States, support for self-determination, non-aggression, the peaceful coexistence of States and respect for the independence, sovereignty and territorial integrity of States. Guided by our commitment for nations to live in harmony, the United Nations should continue to champion the resolution of conflicts by peaceful means within the confines of international law. Small States like my country depend upon the rule of law for protection against arbitrary actions by the rich and powerful.

As agreed in the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at National and International Levels (General Assembly resolution 67/1), adopted by Heads of State and Government on 24 September 2012, States must refrain from the threat of or the use of force to solve disputes. The tendency to resort to force at every instance only undermines peace, security and the rule of law. Recent experiences amply demonstrate that heavy-handed interventions do not bring about sustainable solutions, but only cost more lives, destroy and degrade economic and social infrastructure and often leave behind more unstable situations than those they intended to solve. More often than not, local people are left to pick up the pieces from a trail of destruction.

The Declaration on the rule of law also cautions States to avoid the use of unilateral measures against other States. Regrettably, such measures, which are employed by powerful States against weaker ones to achieve narrow political objectives, undermine socioeconomic development efforts. As we frame the post-2015 development agenda with a focus on eradicating poverty and transforming our economies, we hope that developing country efforts will not continue to be hindered by such unilateral coercive measures. Poverty in all its dimensions is a threat to peace and security.

Zimbabwe supports international efforts to end impunity and to hold accountable those responsible for atrocities. We are, however, concerned that the international criminal justice system is operated in a selective manner. The impression it has created is that it is focused only on soft targets in the developing world, mainly in Africa. That perception undermines confidence in the system. Testimonies from those in countries where it has been applied suggest that it has neither facilitated peace nor reconciliation. For the system to be credible, it has to be seen to apply universally and equally to all.

At the national level, we are committed to enhancing the rule of law by strengthening law and justice institutions. Our new Constitution has strengthened the separation of powers and enhanced the independence of the judiciary. Independent watch-dog bodies and commissions, such as the Zimbabwe human rights, anti-corruption and media commissions, have been established to protect the rights and interests of citizens. We believe that the United Nations is an appropriate forum for the sharing of best practices, and capacity-building can be of assistance in facilitating cooperation in those areas. Peace and security can be guaranteed only through multilateralism, dialogue and cooperation in addressing the root causes of conflict, and not through force and coercion.

The President: I now give the floor to the representative of Azerbaijan.

Mr. Musayev (Azerbaijan): At the outset, I would like to thank you, Madam President, for convening this important open debate on the promotion and strengthening of the rule of law in the maintenance of international peace and security and for submitting a concept note on the topic (S/2014/75, annex).

In recent years, international attention to the importance of the rule of law has increased significantly. The practice of the Security Council has greatly contributed to that end. In its presidential statement of 19 January 2012 (S/PRST/2012/1), the Council, inter alia, emphasizes the importance of the rule of law as a key element of conflict prevention, peacekeeping, conflict resolution and peacebuilding.

Azerbaijan's consistent position with regard to the issue under consideration is well known and stems from its keen interest in contributing to the achievement of sustainable peace and development in our region and worldwide and from our practical experience in addressing the consequences of aggression, violent separatism, foreign military occupation and ethnic cleansing.

At the end of 1987, neighbouring Armenia openly laid claim to the territory of the Nagorno-Karabakh region of Azerbaijan. That claim culminated in the occupation of the territories of my country, the killing of thousands of Azerbaijani civilians and in the expulsion of about 1 million Azerbaijanis from their homes in both Armenia and the occupied territories. Those who perpetrated the crimes committed during the conflict, among whom are those holding high political and military posts in Armenia, still enjoy impunity. That continues to impede progress in achieving long-awaited peace and reconciliation between the two countries. Moreover, the glorification of terrorists and war criminals in Armenia, including raising them to the status of national heroes and bestowing State decorations on them, demonstrates how far the leadership of that Member State is from adhering to the rule of law and universal values of civilized relations.

In that context, greater efforts are needed to ensure a unified approach to the rule of law and to address the major threats and challenges that continue to affect basic elements of the international legal order, to undermine the national unity, territorial integrity and stability of States, and to regenerate disregard and contempt for human rights.

More resolute and targeted measures are required to end impunity for serious violations of international humanitarian and human rights law. Unfortunately, as I have just noted, not all such violations in some situations of armed conflict, including those of a protracted nature, have received due attention and a response at the international and regional levels. As a result, past wrongs left unpunished and unrecognized continue to impede progress in achieving long-awaited peace in some parts of the world.

Combating impunity is therefore important not only for the purpose of prosecuting crimes and bringing those responsible to justice — the achievement of which is undoubtedly imperative per se — but also to ensure sustainable peace, truth and reconciliation. Such an approach to ending impunity falls in the context of the settlement of conflicts and provides that no peace settlement can be reached that is inconsistent with international law. It is clear that, in situations of protracted armed conflict, a lack of agreement on political issues cannot be used as a pretext for not establishing the truth concerning gross violations of human rights and of international humanitarian law.

It is essential that peace efforts and peace agreements never encourage, accept or tolerate situations achieved by the unlawful use of force and other egregious violations of international law, such as war crimes, crimes against humanity, genocide and ethnic cleansing. Such efforts should never promise amnesties or encourage any other form of immunity for the most serious crimes of concern to the international community. In any event, the conflict-resolution initiatives considered by the Security Council and regional arrangements must ensure that peace and justice work together effectively.

In conclusion, I would like to again commend the initiative of Lithuania to convene this open debate. We believe it is important that the Security Council consistently keep its focus on specific developments in the rule of law, in particular on the issue of accountability.

The President: I now give the floor to the representative of Bangladesh.

Mr. Momen (Bangladesh): Let me start by thanking you, Madam President, for convening this open debate. I also thank the Secretary-General for his report on the rule of law (S/2013/341).

We believe that the establishment of the rule of law at the national and international levels alike constitutes one of the core values and principles of the United Nations. Through the universal standard-setting power of the General Assembly, the enforcement power of the Security Council and the judicial power of the International Court of Justice, the United Nations plays a vital role in promoting and enhancing the rule of law.

For a world order based on fairness and the rule of law, all nations — rich and poor, weak and powerful, small and large — must respect international legal systems and multilateral treaties and support the fair and just application of customary international law in the multilateral decision-making process. A greater voice and representation for developing and, in particular, least developed countries in the multilateral system across the board remain absolutely crucial to ensuring the principles of equity, fairness, transparency and democracy at the international level. That will be even more critical as we embark upon the post-2015 development agenda for equitable, pro-people and pro-planet sustainable development, peace and stability.

We must demonstrate unwavering faith in the rule of law to achieve some of our pressing outstanding tasks concerning meaningful reform of the global financial structures, a rules-based development-centric multilateral trading system, an equitable and responsible legal regime to address climate change and a balanced and rights-based approach to address the emerging challenges of population dynamics as a key driver of sustainable development.

Bangladesh believes in peace and justice within the State and in inter-State relations. As the world's eighth largest democracy, Bangladesh firmly believes that the rule of law is a necessary precondition for sustainable peace, stability and development in any society.

At the national level, we are committed to, and steadfastly working towards, the promotion of the rule of law and justice in all spheres of our lives.

It is noteworthy to mention that, to uphold the constitutional obligations and the rule of law in our multiparty democracy, the Bangladesh Election Commission, which is an independent entity, has recently conducted our national elections in a fair, free, transparent and credible way that is overwhelmingly supported by the public.

In the last tenure of the present Government, it undertook much-needed reform in the fields of the administration, the judiciary and the electoral systems in Bangladesh. One important reform is the effective separation of the judiciary from the executive organ of the Government. The Government has also strengthened the anti-corruption commission, enabling that independent constitutional body to act as the watchdog against all types of institutional and personal corruption and misuse of powers. The present Government has also established an independent human rights commission to safeguard the rights of all citizens and to ensure that the international standards of human rights and personal freedoms are protected in the country.

Measures have also been taken to ensure that law-enforcing institutions operate with accountability and work within the framework of international legal norms and principles. To strengthen the rule of law and democracy, end the culture of impunity and prevent the perpetration of genocide and crimes against humanity, Bangladesh, following international standards, formed its international crime tribunal and ratified and joined the International Criminal Court the year before last. We also strengthened the commissions on information and other regulatory agencies.

A citizens' charter of rights has been instituted in all public institutions to ensure that the Government delivers the rule of law and public services to every citizen. I am particularly pleased to report that we could deliver justice and rights to our women. Our membership in all 14 international treaties on counter-terrorism, our amendments to existing national laws on counter-terrorism and anti-money-laundering between 2009 and 2012 to bring them into line with international treaties following the Palermo Convention of 2011, and our adoption of the human-trafficking act, the mutual Legal assistance in crimes act, the anti-terrorism act and the anti-money-laundering act all reflect our commitment to counter-terrorism and the rule of law.

Bangladesh is a staunch supporter of resolving conflict through peaceful and non-military means. Peace in our world today is threatened — by, among other things, civil and ethnic wars, hate crimes, misunderstandings, injustice, religious intolerance, double standards, transnational crime, depravation, poverty, terrorism, piracy, climate change impacts and the financial and energy crises. That has enhanced more than ever the need to reaffirm our faith in the just, equitable and fair application of international law, the Charter of the United Nations, principles of justice, legal statutes, the culture of peace and the peaceful settlement of disputes.

We fully support efforts to uphold the sovereign equality of all States, to respect their territorial integrity and political independence, to refrain from the use or threat of use of force in a manner inconsistent with the Charter of the United Nations and to uphold the peaceful resolution of disputes in conformity with the principles of justice and international law. The rule of law, which is a necessary condition for good governance and guarantees the transparency and accountability of Governments and their responsible conduct, is an important enabler of sustainable development. Institutions for the rule of law and good governance need to be effective, credible, efficient, accountable and democratic in order to achieve a just, equitable, peaceful, prosperous and sustainable society for all.

The President: I now give the floor to the representative of Saudi Arabia.

Mr. Al-Mouallimi (Saudi Arabia) (*spoke in Arabic*): At the outset, it gives me pleasure to warmly congratulate you, Madam President, and your friendly country, on your assumption of the presidency of the Security Council for this month. I wish you every success. I would also like to commend you on your selection of the theme for this open debate.

I would like to stress the commitment of the Kingdom of Saudi Arabia to the rule of law in line with the Charter of the United Nations. We would like to stress that the Charter, which enshrines the importance of freedom, sovereignty and justice for all, should always be present in our minds and in the context of our efforts to build a bright future for our children, who will inherit this world with all its potential and challenges.

The diversity of the world's systems and the traditions of its peoples confirms that there is not a single model for the rule of law, as well as the importance of pursuing the dialogue with regard to the various successful national applications in this area.

The Kingdom of Saudi Arabia was established on the basis of the teachings of the Islamic faith, which is anchored in justice and equality. Those principles include different forms of human cooperation and harmony. God the Almighty has taught us that we cannot be faithful unless we desire for others what we desire for ourselves, and that whoever unduly kills a human being has in effect killed all people. It is on those principles that the law and governance were established in my country.

In this international Organization, we start from different cultures and concepts, but all of us are seeking a common goal, namely, the development of a world in which we renounce our intolerance and differences in order to live in enduring peace and security.

The system of Islamic jurisprudence concurs, in its fundamentals, with the principles of the rule of law. It concurs with the formal interpretation of the concept related to the need to establish a law that regulates all the affairs of the community. It also concurs with the substantive interpretation of the rule of law's concept, that is to say, the commitment of State authorities to the law. The principles of Islamic sharia, which govern my country, are an example of a full-fledged legal system based on the principles of shura, justice, equality and dignity. As to the lies that some are trying to promote asserting that the Islam suppresses freedoms and oppresses women, they are nothing but desperate attempts to cover the truth and promote hatred. Islamic sharia has provided for respect for human rights, including safeguarding one's faith, soul, mind, honour and wealth. Therefore, human rights in Islam include political, civil, economic, cultural and social rights.

Human rights in Islamic sharia are more important than mere laws. They are an integral and holy part of our faith; our belief in them leaves no room for bargaining or mischaracterization.

My country recognizes that we live in an interactive and changing world, but we see in that constant development a chance for rapprochement and consensus. We would like to stress that no State should unilaterally adopt legislation that unduly undermines the economic and financial balance in its region or the world.

It is strange that the Israeli representative talks in this forum about the alleged violations of the rule of law in my country and other Arab countries. For we know that the most serious violations of international law are committed by the occupying Israeli authorities, which practice the worst forms of State terrorism against the Palestinian people, in total disregard of international law and international legitimacy, and invent baseless pretexts to continue their policies of blockade and aggression against a powerless people.

Where does Israel stand in terms of the rule of law when it carries out political assassinations and summary killings? Where does Israel stand in terms of the rule of law when its settlers invade territory and displace its legitimate population? Where does is Israel stand in terms of the rule of law when it allows its soldiers to desecrate holy places and places of worship for both Muslims and Christians? Where does is Israel stand in terms of the rule of law when it expels the Palestinians from their homes in Jerusalem, in a despicable practice of ethnic cleansing?

Here in this Chamber, the Israeli representative has claimed that the countries of the region do not respect the rule of law, as if he had not heard of the multitude of United Nations resolutions that call for the implementation of international law, which Israel continues to violate around the clock — including the continuing Israeli occupation itself, which represents the worst violation of international law and international legitimacy?

What is being inflicted upon the Syrian people — including killings, torture and displacement — at the hands of the regime, which is responsible for their protection, is truly regrettable. I would like to stress that, from the start of the crisis in Syria, the Kingdom of Saudi Arabia has sought to find a peaceful solution that ensures that all those who have blood on their hands are held accountable and that the Syrian people play a leading role in that regard.

However, after three years of conflict in Syria, during which the reins of power have been brought down upon children's skulls, amid the screams of innocent people, the international community is still unable to shoulder its responsibility to protect a people facing oppression and extermination or to hold accountable the linchpins of the regime responsible for killing more than 140,000 citizens and for displacing millions more, thereby destabilizing the entire region and jeopardizing international peace and security.

As to the Syrian representative's claims that his country is fighting terrorism and other States are supporting terrorists, they are nothing but a desperate attempt to divert attention from the reality in that country, which faces the greatest tragedy seen in this century — or throughout the ages.

We would like to stress the need for international cooperation based on collective responsibility, in line with the principles of international law, including when it comes to combating and dismantling illegal networks and organized crime, money laundering and illicit trafficking in weapons and human beings. We believe that all such violations pose a serious threat to international peace and security.

The Kingdom of Saudi Arabia makes every possible effort, on the basis of its commitment to the Charter of the United Nations, to be an effective Member of the Organization. Our commitment is not limited to enacting relevant national legislation and commitment to the resolutions of the Security Council and General Assembly. It also extends to making out utmost our effort to promote justice and law.

The initiative of the Kingdom of Saudi Arabia to set up the United Nations Counter-Terrorism Centre in New York and the King Abdullah bin Abdulaziz International Centre for Interreligious and intercultural Dialogue in Vienna are but two examples of our commitment to collective action to maintain international peace and security, two of the most important objectives of the rule of law.

In conclusion, my country stresses the importance of the principle of sovereignty and of the right of every State to exercise its political freedom independently on its territory without foreign threats of the use of force.

However, at the same time, we do not underrate the right of every people to live free of oppression on their own land and to benefit from its natural wealth and resources in order to enjoy the social and economic development needed for stability.

The President: There are no more names inscribed on my list of speakers. I would like to commend delegations for working throughout the lunch hour and finishing at the perfect time of 6 p.m.

However, several delegations have requested the floor to make further statements. It is my intention to accept those requests. I would ask delegations to be brief and to limit themselves to one additional statement.

I now give the floor to the representative of Israel.

Mr. Heumann (Israel): Today some representatives have exploited this forum to launch a range of baseless accusations against my country. It is truly absurd to hear some of the world's most oppressive tyrannies lecture the Middle East's only true democracy about the rule of law. In fact, while the State of Israel defends the rule of law, our detractors defy the rules of law and logic.

I am pleased to see that the Iranian representative is taking full advantage of freedom of expression in this Chamber. I suppose it is fitting, given that the Iranian people do not enjoy this right at home. It seems to me that he got a little carried away with the novelty and has used this forum to spread tall tales at Israel's expense; after all, why spoil a good story with the truth?

The truth is that in Iran women are oppressed and minorities are prosecuted, free speech is censored and elections are a sham. Nonetheless, Iran is as quick to indict Israel as it is to indict its own citizens, without just cause, due diligence or reasonable doubt.

I should also like to respond to the comments made by the Palestinian observer. It seems as though the Palestinian delegation is heavy on the criticism of Israel but very light on the facts. It is quite convenient that in his remarks, the Palestinian observer neglected to mention the many human rights abuses by the Palestinian Authority security apparatus operating in the West Bank. This is to say nothing of the widespread and appalling human rights abuses committed by the Hamas terrorist organization in Gaza.

Out of respect for the valuable time of the Council, I will not respond further to those baseless accusations except to say that it is unfortunate that the Palestinian observer insists on using this forum to incite hostilities against Israel, while peace negotiations are currently under way.

Finally, allow me to refer to the Saudi Arabian delegation. I want to take this opportunity to invite the representative of Saudi Arabia and his colleagues to Israel to see and learn how human rights are protected and the rule of law is observed, and take this lesson back home to his own country. I am sure that he has a lot to learn. Let me also make this offer to the representative of Saudi Arabia: if he cannot cover his trip to Israel with petrodollars, I am sure that the Government of Israel will cover it.

The President: I now give the floor to the representative of Armenia.

Mr. Samvelian (Armenia): I wish to thank you, Madam President, for the opportunity to make a further statement concerning the unfounded allegation made against my country by the representative of Azerbaijan.

I would like to inform the Council that Azerbaijan has turned Armenia-phobia into State propaganda at a level that is beyond dangerous. That is not only our assessment; the alarm has also been sounded by the United Nations, other intergovernmental institutions and Member States.

By denying and destroying all that is Armenia, Azerbaijani representatives persistently continue to disseminate propaganda and false accusations, even in this very Council Chamber.

Let me draw the kind attention of the Council to just one appalling example of how Azerbaijan understands and implements the concept of the rule of law, the very subject of today's discussion. On 19 February 2004, exactly 10 years ago today, an Armenian participant in a NATO-sponsored Partnership for Peace training programme in Hungary, Lieutenant Gurgen Margaryan, was axed to death by his fellow Azerbaijani participant, Lieutenant Ramil Safarov. The 26-year-old Armenian army lieutenant was hacked to death while asleep in his dormitory room. Safarov stabbed Margaryan 16 times with an axe, almost decapitating him. Following the murder, he walked over to another Armenian officer's room, hoping to commit a second murder, but, fortunately, found the door locked. Safarov expressed not even a hint of remorse after being sentenced in Hungary to life in prison.

Eight years later, in September 2012, the whole civilized world was appalled to learn that Safarov had been transferred to Azerbaijan and freed upon his arrival in Baku, Azerbaijan's capital. Moreover, in Baku he received a full pardon and eight years' salary compensation. He was granted an apartment, promoted to the rank of major, glorified and received a hero's welcome from President Aliyev of Azerbaijan.

That treatment of a cold-blooded killer and his pardoning contradicts not only international human rights instruments but also the Azerbaijan criminal code, which stipulates that a prisoner serving a life sentence cannot be freed before serving at least 15 years. This is a manifestation of how Azerbaijan treats a convicted murder who carried out a brutal hate crime, a crime committed against an unarmed Armenian. It is an appalling demonstration of the Azerbaijani Government's failure to uphold the rule of law.

We expect that the United Nations and its Member States will continue to voice their concern and react to this atrocious development in our part of the world, which has already undermined respect for justice, human rights and human dignity and endangers regional peace and security.

In conclusion, we call upon Azerbaijani representatives to simply try to establish a tone in this Chamber that is based a little bit more on reciprocity and mutual understanding. Armenia pursues an approach of dialogue, negotiation and mutual compromise. We strongly reject the language of force, threats and hatred.

The President: I now five the floor to the representative of Azerbaijan.

Mr. Musayev (Azerbaijan): My delegation is taking the floor once again to react to the totally groundless remarks just made by the representative of Armenia.

It has become the distinctive nature of the policy of Armenia to level accusations against a country whose territories it keeps under occupation and whose civilians it has brutally massacred and still continues to kill on a daily basis. It is unfortunate that the forum provided by the Security Council has once again been abused to disseminate lies.

There is only one question that needs to be asked: what can be the weight of statements by a country whose President and other high-level officials are responsible for war crimes and crimes against humanity? It is curious that Armenia has the cheek to criticize and lecture others on such a notion as justice, which is a priori alien to that country's policy and practice.

The best way to address the existing challenges and concerns is to ensure that the occupation of the territories of Azerbaijan is ended, that the rights of the forcibly displaced population to return to their homes is exercised without further delay, and that all those responsible for the serious crimes committed against Azerbaijani civilians in the course of the conflict are brought to justice.

The President: I now give the floor to the representative of Syria.

Mr. Aldahhak (Syrian Arab Republic) (*spoke in Arabic*): My delegation would like to reply to the claims made by the representative of Saudi Arabia.

When we talk about the role of the Government of Saudi Arabia in supporting terrorism, we do not speak in a vacuum and level random accusations. Saudi support for terrorism through money and weapons and the extremist Takfiri interpretations that have nothing to do with Islam are well known issues, underscored by historical events in Afghanistan to Syria, Iraq and Lebanon, as well as other countries, including the State that hosts the Organization.

Who can think that caring for the Syrian people means sending mercenaries and terrorists to Syria from all over the world, with Saudi funds and weapons, to run amok there and to try and impose their inhuman thinking on Syrians? That is what has happened at the hands of the Saudi Arabia Government and its intelligence and cooperation with other countries so as to settle their accounts with us and serve the agendas of other States.

We call on the Government of Saudi Arabia to review its policies and to put an end to its practice of supporting terrorism to the detriment of the interests of the sisterly Saudi people. The Government of Saudi Arabia must realize that financing the United Nations anti-terrorism centre will not deceive anyone. It will not blind anyone to Saudi Arabia's support for terrorism.

The President: The representative of the Observer State of Palestine has asked for the floor to make a further statement. I now give him the floor.

Mr. Zeidan (Palestine): My delegation will not continue the circus started by Israel and its representatives, but we would just like to add for the record that Israel's so-called democracy is a democracy only for Jews, where non-Jews are inferior, whether they be Muslim, Christian or others, whether it be with regard to their civil or land rights, or even the right to life. Israel touts itself as a democracy in the Middle East but it forgot to also tell us that it is the greatest violator of human rights and humanitarian law in the whole world. Israel also forgot to tell us that it is the only occupying Power in the Middle East.

The President: There are no more names inscribed on the list of speaker. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 6.15 p.m.